

October 26, 2004

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL

1. 1. 5:30 P.M. CALL TO ORDER

Mayor Harrison called the meeting to order at 5:30 p.m.

2. 2. INVOCATION AND PLEDGE OF ALLEGIANCE

Alderman Browning led all in the prayer and Pledge of Allegiance.

3. 3. ROLL CALL AND CERTIFICATION OF A QUORUM

Present to-wit: Mayor Philip B. Harrison, Aldermen Wayne Browning, Monte D. Richardson, O. William "Bill" Schmidt, Michael S. "Mike" Mueller and Jerome Peters; thereby a quorum was established. Also present were City Administrator Lynn S. Roberts, City Secretary Susan Rosinski and City Attorney Charley Smith.

4. 4. CONSIDERATION/ACTION TO ADOPT AGENDA

A motion was made by Alderman Browning, seconded by Alderman Schmidt to adopt the agenda as presented with the exception that the second addendum item follow agenda item number four. Motion carried unanimously.

5. 5. CONSIDERATION OF PROPOSED SUBDIVISION – THE COURTS OF BELLVILLE, VARIANCE REQUESTS AND ANY RELATED ACTION NECESSARY – BELLVILLE DEVELOPMENT GROUP, INC.

John Marek, Clay Krhovjak and Ed Caravello appeared before Council and presented them with a revised plat of the subdivision, which consisted of 42 lots rather than the 47, originally presented to Council. Krhovjak informed Council the Bellville Development Group had formed a new company called New Covenant Homes.

Alderman Peters reminded the Mayor that the ordinance (#1229) states that variances can only be given if there is an undue hardship or it deprives the applicant of reasonable use of his land. Peters questioned what the undue hardship was or what deprived the applicant of having reasonable use of his land

Mayor Harrison responded, " I think that is what we talked about last time. The choice we had was to let them use a smaller lot to build affordable homes or not to build an affordable home in Bellville. I guess that is what we will vote on tonight".

Alderman Peters commented that this is not consistent with the layout of the area of Masonic Street; most of the lots are over 100 feet".

Alderman Richardson agreed it was inconsistent and did not fit in the area, although he did understand the contractor's issues.

Alderman Peters was concerned about traffic as there are no exits to the north, south or west.

Alderman Browning added that there were many ways to travel from the area and did not believe there would be any traffic problems in regards to the homes being built.

Alderman Schmidt inquired if Warren Klump had looked at the fire hydrants.

Administrator Roberts informed Council the total estimate for labor, equipment and materials for water, sewer and gas utilities would be approximately \$23, 900.00 and included hydrants, taps, transformer pads, junction boxes, etc.

A lengthy discussion was held regarding right-of-ways, city easements, the detention pond area, curb and gutter and the design of the homes.

Alderman Mueller commented O'Malley Engineers would examine the plans & Administrator Roberts added that Craig Kankel of O'Malley Engineers would look over the preliminary plan, make sure it meets our specifications and give his recommendations.

A motion was made by Alderman Schmidt, seconded by Alderman Browning to accept the preliminary plan as presented with the following four variances:

- Three and one-half foot drip line to property line
- Inside lot width as presented on preliminary plat (includes four lots that are not 55 foot)
- Corner lot
- Fifty (50) foot street right-of-way

Mayor Harrison called for a vote. Aldermen Schmidt, Mueller and Browning voted aye and Alderman Peters and Richardson were opposed. Motion carried.

6. 6. CONSIDERATION OF PROPOSED SUBDIVISION – ALLEN CHAPEL NEIGHBORHOOD, VARIANCE REQUESTS AND ANY RELATED ACTION NECESSARY – REV. WARREN SCOTT

Reverend Warren Scott appeared before Council and presented a proposed subdivision plat known as Allen Chapel Neighborhood. The proposed subdivision will consist of seven lots with brick homes to be built by Heartland Homes with approximately 1150-1350 square feet.

Alderman Peters inquired if the playground behind each lot would belong to the homeowners. Reverend Scott informed him the playground belonged to Allen Chapel Church.

A motion was made by Alderman Mueller, seconded by Alderman Schmidt to approve the preliminary plan of Allen Chapel Neighborhood with the following three variances:

Building setback lines in front of property from 25 feet to 20 feet  
Minimum width of lot from 60 feet to 55 feet  
Minimum width of corner lot 70 feet to 55 feet

Mayor Harrison called for a vote. Alderman Richardson, Mueller and Schmidt voted aye.  
Alderman Browning abstained due to his affiliation with Allen Chapel Church and Alderman  
Peters abstained. Motion carried.

7. 7. CONSIDERATION OF GAS CONTRACT AND ANY RELATED ACTION  
NECESSARY

A motion was made by Alderman Richardson, seconded by Alderman Browning to adopt the  
Bundled Gas Service Agreement as presented. Motion carried unanimously.

8 ADJOURNMENT

A motion was made by Alderman Schmidt, seconded by Alderman Browning to  
adjourn at 7:10 p.m. Motion carried unanimously.