



CITY FLAG
DESIGNED BY
FREDERICK L. LANGE
JULY 6, 1964

SPECIAL
CITY COUNCIL AGENDA
CITY OF BELLEVILLE, IL
MAY 28, 2020
AT 3:00 P.M.

PLEASE TAKE NOTICE THAT, PURSUANT TO EXECUTIVE ORDER 2020-33, AN EXECUTIVE ORDER IN RESPONSE TO COVID-19 (COVID-19 EXECUTIVE ORDER NO. 31) ISSUED APRIL 30, 2020, BY GOVERNOR JB PRITZKER, THE CITY COUNCIL OF THE CITY OF BELLEVILLE IS PROVIDING THE FOLLOWING REMOTE ELECTRONIC ACCESS TO ITS MAY 28, 2020 CITY COUNCIL MEETING FOR ITS MEMBERS, STAFF AND PUBLIC.

INTERNET VIDEO/AUDIO ACCESS AVAILABLE VIA FACEBOOK

LIVE: <https://www.facebook.com/welcometobellevilleil/>

TELEPHONIC ACCESS: DIAL 1 (571) 317-3112

ACCESS CODE: 525-729-965#

- 1. CALL TO ORDER BY MAYOR AND EXPLANATION OF DISASTER PROCEDURES**

REMINDER: SINCE THE MEETINGS ARE BEING VIDEOTAPED IT IS IMPORTANT THAT EVERYONE SPEAK DIRECTLY INTO A MICROPHONE WHEN SPEAKING.

- 2. ROLL CALL ALDERMEN**
- 3. ROLL CALL DEPARTMENT HEADS**
- 4. PLEDGE OF ALLEGIANCE**
- 5. PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON) - See back page for rules.**

6. ORAL REPORTS FROM STANDING COMMITTEES, SPECIAL COMMITTEES AND ANY OTHER ORAL REPORTS FROM THE ELECTED OFFICIALS OR STAFF

6-A. MOTIONS FROM **ADMINISTRATION**

6-A. Motion to rescind prior approval of Memorandum of Understanding with Illinois Fraternal Order of Police officers and sergeants bargaining unit concerning bargaining-unit member furlough, and rescind prior approval of unpaid furlough of police officer Andrew Dumstorff.

7. RESOLUTIONS

7-A. **RESOLUTION 3386-2020**

Resolution Implementing Local Measures Related to the Restore Illinois Phase 3 Guidelines for Reopening Business and Returning People to Work Safely During the COVID-19 Pandemic.

8. ADJOURNMENT (ALL QUESTIONS RELATING TO THE PRIORITY OF BUSINESS SHALL BE DECIDED BY THE CHAIR WITHOUT DEBATE, SUBJECT TO APPEAL)

**PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON)
VIA TELEPHONE ACCESS ONLY**

- (a) Members of the public may address the City Council in accordance with Section 2.06(g) of the Illinois Open Meetings Act (5 ILCS 120/2.06(g));
- (b) Public comments are limited to three (3) minutes per speaker;
- (c) The subject of public comments shall be reasonably related to matters(s) identified on the meeting agenda and/or other city business;
- (d) Repetitive public comments should be avoided, to the extent practical, through adoption of prior public comment (e.g. agreeing with prior speaker);
- (e) The following conduct is prohibited during public participation:
 - Acting or appearing in a lewd or disgraceful manner;
 - Using disparaging, obscene or insulting language;
 - Personal attacks impugning character and/or integrity;
 - Intimidation;
 - Disorderly conduct as defined in Section 130.02 of this revised code of ordinances.
- (f) Any speaker who engages in such prohibited conduct during public participation shall be called to order by the chair or ruling by the chair if a point of order is made by a sitting alderman.

RESOLUTION NO. _____

RESOLUTION IMPLEMENTING LOCAL MEASURES RELATED TO THE RESTORE ILLINOIS PHASE 3 GUIDELINES FOR REOPENING BUSINESS AND RETURNING PEOPLE TO WORK SAFELY DURING THE COVID-19 PANDEMIC

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

WHEREAS, on May 5, 2020, Illinois Governor JB Pritzker released *Restore Illinois* ("Plan"), a five-phased plan that will reopen our State by regions, guided by health metrics and with marked by distinct business, education, and recreation activities characterizing each phase, and recognizing that the economy will start growing again when consumers feel that it is safe to return to work, shop and dine out, and engage in social and recreational activities;

WHEREAS, on May 22, 2020, Governor Pritzker announced that the Southern Region, which includes the City, is anticipated to advance to Phase 3 of the Plan on May 29, 2020;

WHEREAS, on May 24, 2020, in order to prepare businesses and employers to implement the new safety guidelines and to bring many residents back to work, the State of Illinois released industry-specific guidelines that allow for the safe reopening of certain businesses under Phase 3 of the Plan (ie. retail, offices, manufacturing, barbershops and salons, summer programs, various outdoor recreation activities and bars and restaurants for outdoor dining) and business toolkits complete with signage, training checklists, and other resources to ensure business and activities are conducted in accordance with appropriate public health recommendations (see <https://www2.illinois.gov/dceo/Pages/RestoreILP3.aspx>);

WHEREAS, this City Council now desires to implement local measures that assist such reopening of businesses within the City under Phase 3 of the Plan;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS as follows:

Section 1. The foregoing Recitals are hereby adopted and incorporated herein by this reference.

Section 2. The *Restore Illinois* Phase 3 guidelines for reopening business and returning people to work safely during the COVID-19 Pandemic issued by the State of Illinois shall apply to the safe reopening of certain businesses under Phase 3 of the Plan (ie. retail, offices, manufacturing, barbershops and salons, summer programs, various outdoor recreation activities and bars and restaurants for outdoor dining) as industry-specified therein (ie. retail, offices, manufacturing, barbershops and salons, summer programs, various outdoor recreation activities and bars and restaurants for outdoor dining).

Section 3. In addition to the aforementioned *Restore Illinois* Phase 3 guidelines for reopening business and returning people to work safely during the COVID-19 Pandemic, this City Council implements the following local measures that assist such reopening of restaurants/bars, effective only while the Southern Region is in Phase 3 of the Plan:

- A. Portions of South High Street, South Jackson Street and North Church Street shall be closed at East Main Street as specified in the Outdoor Dining Concept Plan attached hereto as Exhibit A;
- B. Upon approval of a Temporary Outdoor Dining Permit Application attached hereto as Exhibit B by the City Zoning Administrator and the Mayor as Local Liquor Commissioner, if applicable, a restaurant/bar in City may expand outdoor seating for patrons onto City sidewalks/property, closed streets and/or private property subject to the requirements set forth in the aforementioned *Restore Illinois* Phase 3 guidelines and the Temporary Outdoor Dining Permit Requirements attached hereto as Exhibit C.

Section 4. This Resolution shall be in full force and effect upon its passage and approval as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 28th day of May, 2020 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Joseph Hazel	_____	_____
Ken Kinsella	_____	_____
Dave Pusa	_____	_____
Carmen Duco	_____	_____
Kent Randle	_____	_____
Scott Ferguson	_____	_____
Johnnie Anthony	_____	_____
Raffi Ovian	_____	_____
Edward Dintelman	_____	_____
Michelle Schaefer	_____	_____
Chris Rothweiler	_____	_____
Mary Stiehl	_____	_____
Philip Elmore	_____	_____
Dennis Weygandt	_____	_____
Roger Wigginton	_____	_____
Roger Barfield	_____	_____

APPROVED by the Mayor of the City of Belleville, Illinois this 28th day of May, 2020.

MARK W. ECKERT, MAYOR

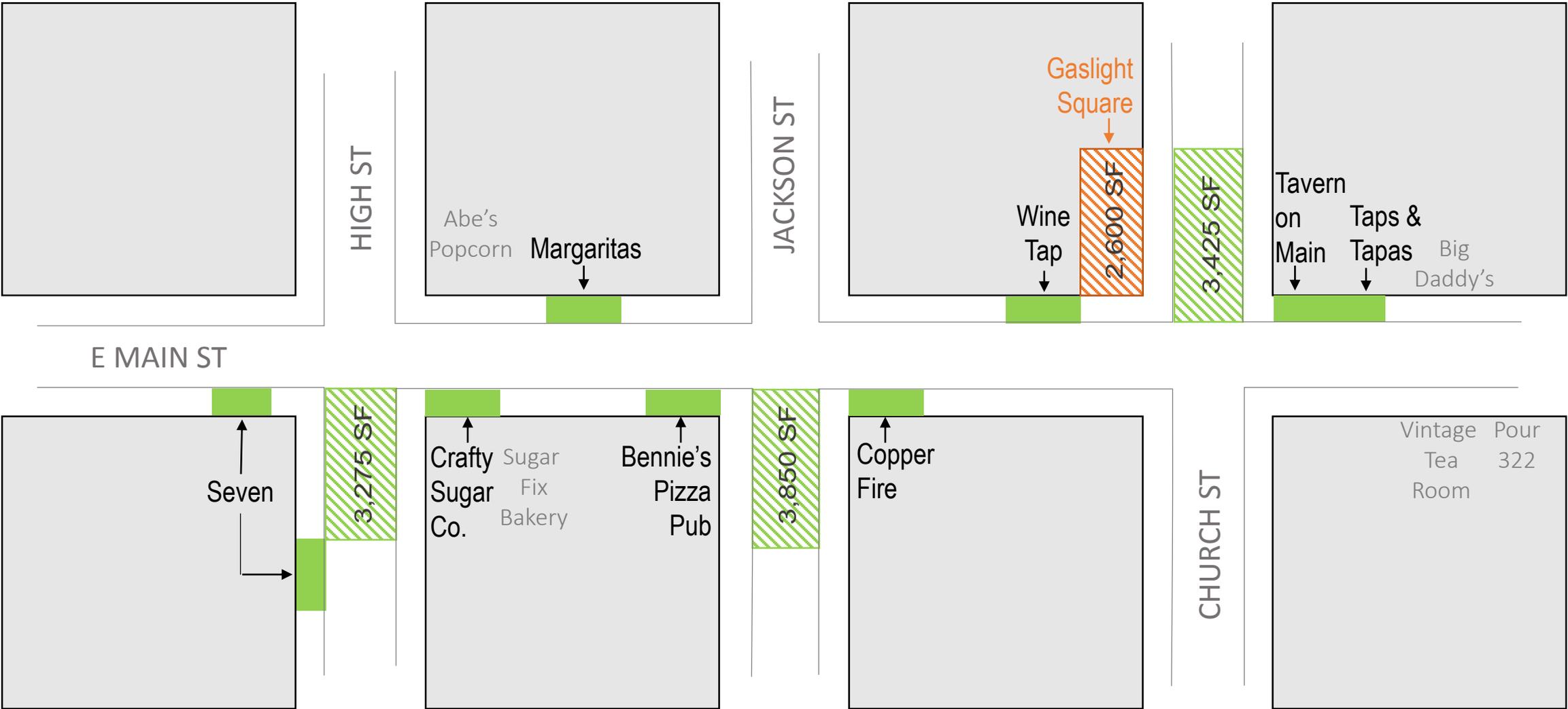
ATTEST:

JENNIFER GAIN MEYER, CITY CLERK

OUTDOOR DINING CONCEPT PLAN

EXHIBIT "A"

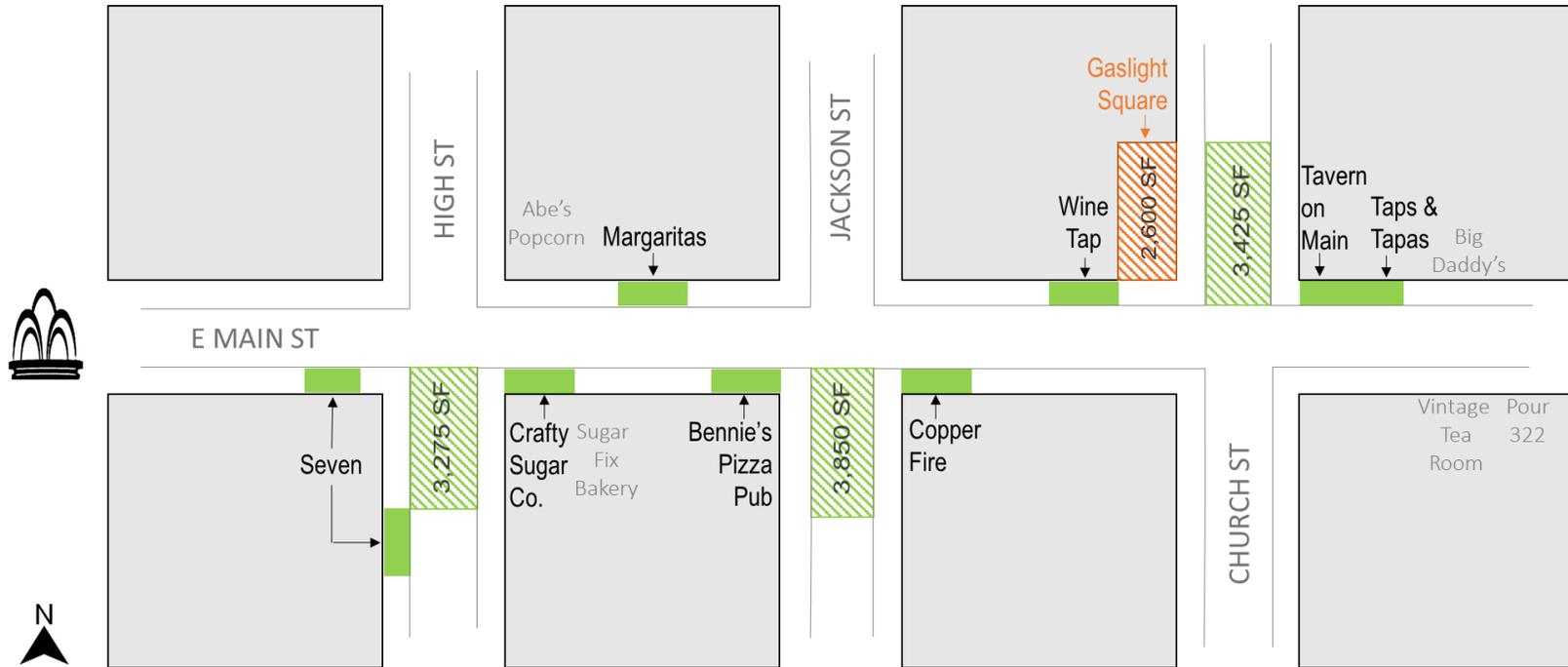
-  EXISTING OUTDOOR DINING AREAS (Note: Only displays areas in public right-of-way)
-  PROPOSED OUTDOOR DINING AREAS (10,550 TOTAL SF)
-  ADDITIONAL OPEN SPACE. POTENTIAL DINING AREA



S HIGH ST



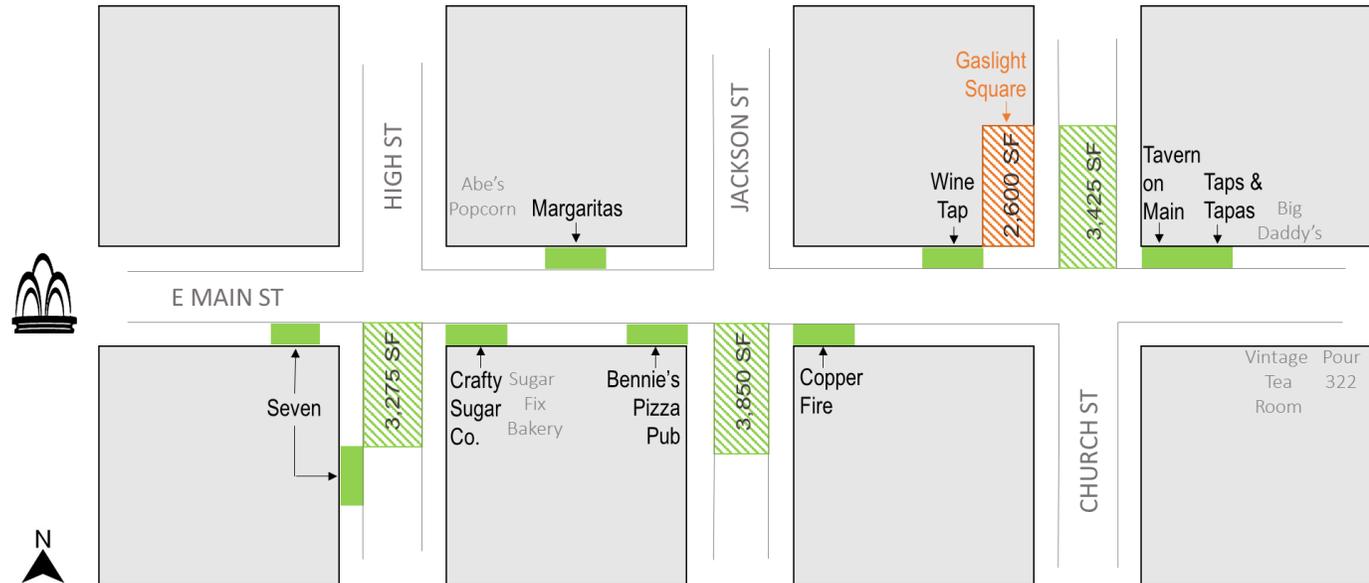
EXHIBIT "A"



S JACKSON ST



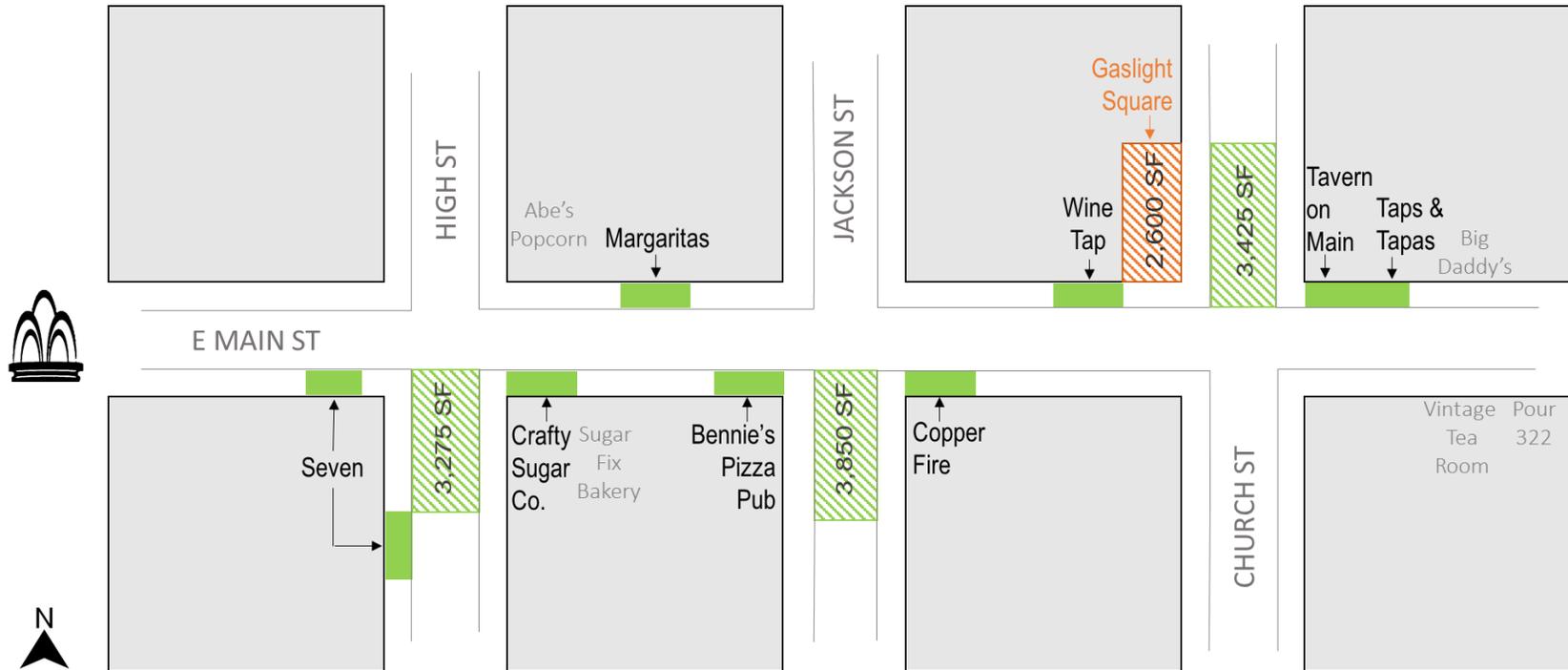
EXHIBIT "A"



N CHURCH ST



EXHIBIT "A"





Temporary Outdoor Dining Permit Requirements

GENERAL INFORMATION

A Temporary Outdoor Dining Permit is required. There is no fee for this permit. An exhibit (drawing) showing the proposed layout of the outdoor seating must be attached.

- Temporary Outdoor Dining Permits are valid until August 30, 2020 subject to extension or revocation dependent on the pandemic conditions.
- A certificate of dram shop/liability insurance must be submitted with the Temporary Outdoor Dining Permit application.
- All restaurants must adhere to the recommendations and requirements of the Illinois Governor's Office, Illinois Department of Public Health, and the CDC, and the St. Clair County Department of Health
- No video gaming will be permitted.
- All outdoor dining must be ADA accessible.
- The City will not provide seating for use as our inventory does not meet criteria for social distancing as defined by IDPH and the CDC.
- Appropriate lighting of the space is required if operating outside of daytime hours.
- Table spacing, seating, and cleaning will follow all state and county regulations pertaining to health and safety standards for the prevention of the spread of COVID-19.
- Outdoor dining areas must be kept clear of dishes, cups, glasses, litter, food scraps, or any other waste. Said areas must be continuously supervised by employees of the establishment during business hours.
- Live music is permitted, but employees and performers should follow social distancing guidelines, keeping the maximum distance possible from each other and from customers. Performers should wear face coverings where possible and the use of barriers between singers, customers and employees during the performance is strongly encouraged.
- For dining areas located on a sidewalk, the area must be designated with a railing or barrier to define the area clearly and safely for pedestrians. A minimum of forty-eight (48) inches width of unobstructed sidewalk reserved for pedestrian use between the outdoor dining area and the street curb is required.
- Employees providing service must wear mask.

EXHIBIT "C"

GENERAL REQUIREMENTS (CONT.)

- Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating.
- Access to the interior restrooms must be provided with separate entrance and exit to said facilities.
- The expanded outdoor dining areas approved via the City's Special Event Permit must be closed no later than 10:00 pm. Any existing outdoor patio areas approved previously may stay open in accordance with the establishments existing liquor license.
- These general requirements do not supersede the State of Illinois or St. Clair County regulations. Please familiarize yourself with the state's provisions for safely reopening restaurant facilities and abide by the latest executive orders that apply to restaurants and dining services.
- The City of Belleville reserves the right to amend these requirements as needed. Any violation of the policy could result in revocation of the establishment's authority to expand the outdoor dining area and/or liquor license.

DOWNTOWN SERVICE AREA

Street Closures in the Downtown Service Area shall be as defined in the attached Exhibit "Outdoor Dining Concept Plan."

USE OF TENTS OR OTHER SHADE STRUCTURES

- All tents must be secured (weighted) properly.
- All tents must be installed per manufacture's requirements for installation/severe weather and inspected by the City of Belleville. To schedule an inspection, please call the Fire Department at 618-234-2236.
- Smoking is prohibited under tents and shade structures.
- Tents/shade structure must be open on all sides or have a retractable roof. Seating will be permitted in the portions of businesses where existing garage doors or retractable roofs are present.

ALCOHOLIC BEVERAGES

- Restaurants possessing a valid liquor license for on-site consumption shall be allowed to serve alcoholic beverages in the expanded outdoor seating areas.
- Removal of alcoholic beverages from the designated outdoor seating areas (except back into the applicant's facility) is prohibited.

USE OF PARKING AREAS

- All restaurants with private parking may utilize up to 50% of the required parking for the restaurant space. If restaurant is located within a retail center, the space available to expand the use will be 50% of the required parking for the restaurant space (not the total retail center square footage).
- An approved temporary barrier such as water filled barriers, jersey barriers, other IDOT approved barriers must be in place to define the outdoor seating area.
- No handicapped accessible parking spaces may be utilized for expanded outdoor seating.

RESTAURANTS UTILIZING SIDEWALKS OR STREETS

- No cooking, food preparation or open flames are permitted in the outdoor dining area.
- Space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, tents, or any other flammable object or material.
- All restaurants utilizing the public right-of-way will need Provide Certificate of Insurance listing the City of Belleville, 101 South Illinois Street, Belleville, Illinois as additional insured in the amount of \$1 million dollars per person and \$2,000,000 aggregate prior to event.

REVOCATION

The City will have the authority to revoke an approved Temporary Outdoor Dining Permit if any of the following occurs:

- The applicant has misrepresented facts or provided false information in the temporary outdoor dining permit application.
- The outdoor seating area is operated in violation of the terms or conditions of the outdoor seating permit.
- The outdoor seating area or the establishment is operated in violation of the Municipal Code, or other applicable federal, state, or local law.
- The outdoor seating area constitutes a public nuisance or a hazard to the public health, safety, or welfare of the public, or is endangering the life or property of others.

Caveat: The City may require modifications to increase safety, improve passage, prevent damage to the City's sidewalk or right-of-way, or maintain a style consistent with the surrounding area. In instances where it is found that the applicant has misrepresented facts or has not adhered to requirements, the Temporary Outdoor Dining Permit may be revoked.



TEMPORARY COVID – 19 OUTDOOR DINING PERMIT APPLICATION

To ensure that social distancing practices and requirements are being met while encouraging restaurant establishments to resume operations, the City of Belleville is providing the following outdoor dining requirements to ensure flexibility. We are providing these outdoor dining requirements where outdoor dining may not be otherwise permitted or require other procedures under the City of Belleville Municipal Code. This temporary allowance is in effect through August 30, 2020.

PERMIT PROCESS

Permit: A completed Temporary Outdoor Dining Permit application must be sent via e-mail to edpz@belleville.net. The applicant will be notified by the City of Belleville once the review has been completed or if additional information is needed.

No fee is required.

Contact: For questions regarding the permit process or requirements, contact the Economic Development and Planning Division at edpz@belleville.net or 618-233-6810, extension 1250.

Liquor Sales: For specific requirements regarding liquor sales, please contact the Mayor/Liquor Commissioner's Office meckert@belleville.net or 618-233-6518, extension 1207.

Expiration: Approved Temporary Outdoor Dining Permits expire August 30, 2020. **Subject to extension or revocation dependent on pandemic conditions.*

APPLICATION AND REQUIRED DOCUMENTS

Attach a copy of a site plan, drawing, or aerial depicting the location of the proposed outdoor dining area. This should also include the location and number of tables and chairs along with the location, number, and size of any proposed tents.

APPLICANT INFORMATION

APPLICANT NAME _____

COMPANY/RESTAURANT NAME _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP _____

PHONE _____ EMAIL ADDRESS _____

BREAKDOWN OF OCCUPANCY INDOORS & OUTDOORS _____

TENT/SHADE STRUCTURE YES NO

DOES YOUR BUSINESS HAVE AN EXISTING LIQUOR LICENSE? YES NO

PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME _____
COMPANY _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____ EMAIL ADDRESS _____

SIGNATURES

I hereby certify that the **temporary outdoor dining** described herein will be setup and/or used in accordance with all applicable codes and directives of the City of Belleville and the State of Illinois. I further attest that I have received the Temporary Outdoor Dining Permit Requirements and agree to adhere as hereto. Further, Applicant states and understands that if a violation of any regulation associated with this application occurs, the issued permit will immediately become void and may not be reissued for the same location.

Applicant Name: _____
Applicant Signature: _____

PROPERTY OWNER CONSENT

I, _____, hereby authorize the above-referenced applicant to apply for a Temporary Outdoor Dining Permit on my property at _____. I understand that the applicant is responsible for complying with all applicable city codes and that failure to comply will result in termination of the Permit.

Name of Property Owner: _____
Signature of Property Owner: _____

Please submit applications to edpz@belleville.net

OFFICE USE ONLY

Date Received _____
Approved _____ Denied _____ Date _____

Approval Signature

OFFICE USE ONLY

Tent/Shade Structure Usage _____ Date _____

Fire Department Approval Signature