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**City of Mt. Vernon, Illinois  
City Council Workshop Meeting  
Monday, August 11, 2014**

**MINUTES**

The Mt. Vernon City Council held a Workshop Meeting on Monday, August 11, 2014 at 3:00 p.m. at the City Hall, 1100 Main Street, Mt. Vernon, IL.

**ROLL CALL**

Roll call showed present: Council Members Ron Lash, Dennis McEnaney, Todd Piper, David Wood and Mayor Mary Jane Chesley. Also present were City Manager Ron Neibert and City Clerk Jerilee Hopkins.

**DISCUSSION OF ORDINANCE READ AND AGENDA POLICIES**

City Manager Neibert provided a survey to Council regarding review of the City's policies on which ordinances are approved and how items are placed on the agendas. The results of the survey are as follows:

**ORDINANCE APPROVAL PROCEDURES SURVEY**

1. Would you be in favor of amending the Code to allow passing Ordinances without 2<sup>nd</sup> reading that have been reviewed and recommended by a City Committee or Commission (i.e. zoning Ordinances and TIF Agreement Ordinances)? Items for review for single read could be tabled if there are concerns, questions or missing information.

YES 111 NO maybe 1

2. Would you favor Suspension of the Rules requiring a unanimous vote of members present in all cases?

YES 1 NO 111

3. Would you favor allowing Suspension of the Rules with only 3 votes but only if Suspension has been requested by the City Manager?

YES 1 NO 111

4. Would you favor requiring Suspension of the Rules be a unanimous vote of members present but only if the City Manager has not requested Suspension?

YES 11 NO 111

5. Would you favor requiring 2<sup>nd</sup> Reading of all Regulatory Ordinances (Speed limits, housing, burning etc) in all cases?

YES 11 NO 111

COUNCIL AGENDA PREPARATION PROCEDURES

1. Would you favor allowing a single Council member placing an Ordinance on the agenda without prior Council review? (i.e. Ordinance to amend the City Code)

YES 1 NO ||||

2. Would you favor a single Council member placing a Resolution on the agenda without prior Council review? (i.e. Resolutions of support or Resolutions for Agreements)

YES 1 NO ||||

3. Would you favor a single Council member placing an actionable Motion on the agenda without prior Council review? (i.e. Motion to direct City manager to prepare Ordinance/Resolution for consideration)

YES || NO ||

4. Would you favor a single Council member placing a discussion item on the agenda without prior Council review?

YES ||| NO ||

5. Would you favor a process by which a draft Council agenda is prepared by a certain day and Council members notify the Manager if they agree with the individual topics on the agenda with the majority determining the individual agenda contents?

YES ||| NO ||

The Current City Code regarding Agenda/Procedures is attached.

Upon discussion from Council, changes to the Ordinance are as follows:

Article 1, Section 1.3 of the Revised Code of Ordinances is hereby amended by revising subparagraph (c), subparagraph (d), and subparagraph (k) Eighth to read as follows:

(c) Regular meetings of the City Council shall be held on the first and third Mondays of each month at the hour of 7:00 p.m.; provided that when any such meeting date shall fall upon a legal holiday, then such meeting date shall be the Tuesday following at the same hour and place. Regular meetings shall be held at the Roland W. Lewis Building at Veteran's Park or at such other locations that shall be fixed from time to time by vote of the City Council. Adjourned and special meetings shall be held at such times and places as determined by the Council. **An Agenda for each meeting shall be prepared by the City Manager. The City Manager shall place such items upon the Agenda as the City Manager deems necessary for the**

operation of the City. In addition, the City Manager shall place upon the Agenda, upon request by the Mayor or by a Council Member, a Motion authorizing and directing the City Manager to prepare an ordinance, resolution, or other matter of concern to the requestor for placement upon the Agenda for Council's consideration.

(d) Special meetings of the City Council may be held on the call of the Mayor or any of two Councilmen to consider any ordinance, resolution, motion, discussion, or other item by giving at least twenty-four hour notice thereof, by written notice to be delivered to members of the Council thereof, or by leaving copies at the residence of each member, which notice may be served by any police officer of the City and shall specifically state the business to be transacted at such meeting.

(k) Eighth: All motions, resolutions, petitions, orders, and communications, and any ordinance relating to matters referred from or subject to a recommendation of the Zoning and Planning Commission or the TIF Advisory Committee may be acted upon by the Council at the meeting at which first presented or received, but no ordinance, except the ordinances specifically identified above, shall be voted upon at the meeting at which it is first presented unless the rules shall first be suspended. All resolutions and ordinances presented to the Council in writing need not be read verbatim unless any member of the Council shall so request; otherwise any such resolution or ordinance may be introduced by title only.

#### **DISCUSSION OF LEAF AND BRUSH BURNING**

City Manager Neibert presented information on leaf and brush burning from neighboring communities. The City Council discussed the issue and the ordinance was amended as follows:

Section 13.8 of the Revised Code of Ordinances is hereby amended to read as follows:

#### Section 13.8 Open Burning

No person shall kindle or maintain any bonfire or rubbish fire or other open burning fire or authorize any such fire to be kindled or maintained within the limits of the City, except recreational fires as hereinafter defined and except small open flames for heating tar, welding, acetylene torches, highway safety flares and the like.

Recreational fires shall consist of the burning of fuels for a legitimate campfire, recreational, and cooking purposes, or in a domestic fireplace or device in areas where such burning is consistent with other laws. Recreational fires shall be subject to the following conditions and restrictions:

(a) A recreational fire may burn sticks, limbs, logs not exceeding four inches in diameter, charcoal, cooking fuel or camping fuel only.

(b) No recreational fire shall be burned or be permitted to smolder between the hours of midnight and 6:00 a.m.

(c) No recreational fire shall be burned during periods of high wind or extreme drought.

(d) Recreational fires shall be in a fire pit, fire ring, outdoor fireplace, chiminea, or other such device designed for such burning, or shall be in an area surrounded by non-combustible material. If the recreational fire is not within a device designed for such burning, permission shall be obtained from the Mt. Vernon Fire Department before igniting the recreational fire; in addition, no recreational fire shall exceed an area dimension of 6 feet by 6 feet (i.e. no width or length measurement of the fire area shall exceed 6 feet).

(e) No garbage, trash, debris, waste, refuse, lumber, building materials, tires, or landscape waste (including leaves) except sticks, limbs, and logs described within subparagraph (a) above shall be burned in a recreational fire.

(f) No person shall willfully leave any recreational fire, including any smoldering fire, unattended; a fire shall be considered unattended if a person of not at least 18 years of age is not physically present out-of-doors and in visible contact with the fire at all times.

(g) No recreational fire shall be burned upon any public street, public sidewalk, any drainage ditch within the public right-of-way, or any manhole cover or burned upon the property of another without written permission.

(h) Recreational fires shall be extinguished immediately upon direction of police or fire personnel.

No person within the City of Mt. Vernon shall burn any leaves on any date or at any time, nor shall any person within the City of Mt. Vernon burn any landscape waste except sticks, limbs, and logs as permitted within subparagraph (a) above on any date or at any time; provided, however, that in the event of an emergency or other special circumstance, the burning of landscape waste may be authorized for a definite period of time by the City Manager upon the written recommendation of the Fire Chief of the Mt. Vernon Fire Department, or by the Mayor by written declaration, or by the City Council by resolution. In no event shall any person burn any landscape waste upon any public street, public sidewalk, any drainage ditch within the public right-of-way, or any manhole cover or upon the property of another without written permission.

Any person who shall violate the provisions of the Section shall be subject to the penalties provided in Article 22 of the Revised Code of Ordinances of the City of Mt. Vernon. In addition, any person who shall violate the provisions of this Section shall be liable for and shall reimburse the City for all costs and expenses incurred by the City, including without limitation any labor expenses, man hour costs, machinery and equipment costs, and any material costs, incurred by the Mt. Vernon Fire Department, associated with or relating to responding to the violation and/or fire or the containment of said fire, and all reasonable attorney's fees and other costs incurred by the City in the collection of said costs and expenses.

BE IT FURTHER ORDAINED by the City Council of the City of Mt. Vernon, Illinois that Article 9, Section 9.5 of the Revised Code of Ordinances of the City of Mt. Vernon (Article 9 being the Fire Prevention and Safety Code of the City) is hereby amended by revising subparagraph (a) to read as follows:

(a) In addition to the requirements of Section F-307.0 of the International Fire Code, the following provisions shall also apply:

No person shall kindle or maintain any bonfire or rubbish fire or other open burning fire or authorize any such fire to be kindled or maintained within the limits of the City of Mt. Vernon

1. Except as provided in Section 13.8 of the Revised Code of Ordinances.
2. Except in an incinerator constructed pursuant to specifications which hereinafter follow.

Any person who shall violate the provisions of the Section shall be subject to the penalties provided in Article 22 of the Revised Code of Ordinances of the City of Mt. Vernon. In addition, any person who shall violate the provisions of this Section shall be liable for and shall reimburse the City for all costs and expenses incurred by the City, including without limitation any labor expenses, man hour costs, machinery and equipment costs, and any material costs, incurred by the Mt. Vernon Fire Department, associated with or relating to responding to the violation and/or fire or the containment of said fire, and all reasonable attorney's fees and other costs incurred by the City in the collection of said costs and expenses.

#### **EXECUTIVE SESSION**

No Executive Session.

#### **ADJOURNMENT**

**Council Member Lash made a motion to adjourn the City Council Workshop Meeting. Seconded by Council Member Wood. Yeas: Lash, McEnaney, Piper, Wood and Chesley.**

The meeting adjourned at 4:33 p.m.

Respectfully submitted,

Jerilee Hopkins  
City Clerk