

City of Edwardsville

Council Proceedings

March 02, 2021

The regularly scheduled meeting of the Edwardsville City Council was held at 7:00 p.m. at Edwardsville City Hall, located at 118 Hillsboro Avenue in Edwardsville, Illinois, with Mayor Patton presiding. Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy answered present on roll call.

The Pledge of Allegiance was recited by all present.

Mayor Patton welcomed everyone in attendance and those viewing on Cable Channel 993, Zoom and Facebook Live to the meeting.

Mayor Patton opened the public comment portion of the meeting.

City Clerk Bates read one public comment from citizen M. Stephen Taylor. Mr. Taylor expressed his dissatisfaction towards the City for their attempt at taking away his First Amendment rights to display political signage at his home at 113 E. Schwarz St. Mr. Taylor provided a timeline of the vandalism that has recently occurred at his home and described the interactions that he had with the Edwardsville Police Department. Mr. Taylor asked the City to respect the U.S. Constitution and to cease efforts to punish him for his political beliefs and assertion of his First Amendment rights. The public comment was received into the record and is attached herewith.

In response to Mr. Taylor's public comment, Mayor Patton reassured the public that City is not holding any secret meetings, the Fire Chief did not make the comments that were referenced in the letter and that there have not been any threats made against this individual by a City staff member. Mayor Patton said that City Attorney Berkbigler recently provided a statement as a follow-up to citizens that have been complaining about Mr. Taylor's signage which stated that it is in fact Mr. Taylor's First Amendment rights and freedoms to display his messages and beliefs as he currently has them.

Five (5) public comments were provided in-person. The first in-person public comment was made by Edwardsville resident Laura Jenkins who serves on the board of the Junior Service Club of Edwardsville and Glen Carbon. Mrs. Jenkins expressed her support for the Ice Rink and Teen Center to allow a safe place for teens to gather. Mrs. Jenkins feels that the Center will support opportunities for the kids to develop their physical, social, emotional and cognitive abilities to obtain leadership, enjoyment, friendship and recognition. Mrs. Jenkins asked the Council to support the vote for the Center. The second in-person public comment was made by Edwardsville resident and former City

Council member Tom Butts who spoke about the donations sought and received for The Center. Mr. Butts is a part of the fundraising team for The Center which had a goal of raising \$1,000,000 in private donations and donations for naming rights for the facility. Mr. Butts stated that currently the team has received in excess of \$675,000 in donations. He said that additional opportunities for naming rights and donations are still available. The third in-person public comment was provided by citizen Jason Walker who is the coach of the Edwardsville High School Ice Hockey team. Mr. Walker spoke on the opportunities that building the ice rink will provide for current players, future players and the community as a whole. Mr. Walker thanked everyone who is working toward making this project happen. The fourth in-person comment was provided by citizen Brett Vuagniaux. Mr. Vuagniaux spoke against the land exchange item that is on the Council agenda. Mr. Vuagniaux made the following four points: 1) Future parking needs downtown will be different pre-COVID vs. post-COVID, 2) there is not an immediate need to enter into the land exchange but a more appropriate time would be when a parking structure is in the immediate future, not being built in two or more years, 3) in relation to real estate, the land exchange does not promote principals of highest and best use for downtown and creates a higher barrier to redevelopment of the area, and 4) Illinois municipal laws prevent elected officials from participating in agenda items that present a direct or indirect conflict of interest. Mr. Vuagniaux stated that in this case, the property owner is getting a property improvement. He said that the property owner is the Risavy family with occupancy by Big Daddy's. Mr. Vuagniaux asked the Council to postpone the vote on the land exchange. The fifth in-person comment was provided by citizen Thad Vuagniaux who asked the Council to table the land exchange vote to give the City an opportunity to review all options that may be available.

Consent Agenda

Mayor Patton read Consent Agenda items as follows:

- Approval of minutes of Council Meeting on February 16, 2021
- Group Health Insurance Fund Report - \$106,924.33
- Closed Session - Purchase or Lease of Real Property for the use of the City pursuant to 5 ILCS 120/2(c)(5) – (2)

Mayor Patton added two items under Legislative & Executive:

- License to Conduct a Raffle for Friends of the 1820 Col. Benjamin Stephenson House with proceeds going toward support of the Stephenson House Crisis Relief. Chances will be sold from March 8, 2021 – June 13, 2021; prizes for the raffle include a grill and meat
- License to Conduct of Raffle for the Edwardsville Moose Lodge 1561 with proceeds going toward charitable donations. Chances will be sold from March 3, 2021 to March 2, 2022; prizes for the raffle include cash

Ald. Louer changed the total of the Claims amount to \$997,411.17.

Motion by Burns, seconded by Stack, to approve the Consent Agenda.

Roll Call on Consent Agenda: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Petitions and Communications

Recognition of the City of Edwardsville as an Invaluable Member of the 2020 Census Community Partnership and Engagement Program was received for information and file. Mayor Patton congratulated City Planner Emily Fultz for her work with the Census Bureau.

Legislative & Executive

Motion by Stack, seconded by Morrison, to accept the Resignation of Andrew Carruthers from the Mobile Intensive Care System Trust Committee effective January 18, 2021.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Stack, seconded by Burns, to accept the Resignation of Andrew Carruthers from the Board of Fire & Police Commissioners effective January 18, 2021.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Burns, seconded by Louer, to accept the Appointment of John Cunningham to the Board of Fire & Police Commissioners effective immediately.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Morrison, seconded by Stack, to accept the Appointment of Camille Bourisaw to the Edwardsville Beautification and Tree Commission effective immediately.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Burns, seconded by Stack, to Approve a Tobacco License for Mahi Energy, LLC d/b/a Edwardsville BP located at 301 S. Buchanan Street, Edwardsville, IL 62025.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Stack, seconded by Burns, to Approve a License to Conduct a Raffle for Friends of the 1820 Col. Benjamin Stephenson House with proceeds going toward support of the Stephenson House Crisis Relief. Chances will be sold from March 8, 2021 – June 13, 2021; prizes for the raffle include a grill and meat.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Stack, seconded by Farrar, to Approve a License to Conduct of Raffle for the Edwardsville Moose Lodge 1561 with proceeds going toward charitable donations. Chances will be sold from March 3, 2021 to March 2, 2022; prizes for the raffle include cash.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Legal & Judicial

None

City Treasurer

None

City Clerk

None

Finance Committee

Minutes of Finance Committee meeting on Tuesday, February 09, 2021 were received for information and file.

Motion by Louer, seconded by Farrar, to approve Claims - \$997,411.17.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Louer, seconded by Farrar, to approve a Resolution Deeming Certain Funds in the Special Tax Allocation Fund for the Gateway Commerce Center Tax Increment Redevelopment Project Area (TIF No. 3) as "Surplus" Funds.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Finance Committee will meet on Tuesday, March 09, 2021 at 4:00 p.m. in City Hall.

Public Safety Committee

Public Safety Committee will meet on Thursday, March 11, 2021 at 4:00 p.m. in City Hall.

Public Services Committee

Minutes of Public Services Committee meeting on Tuesday, February 09, 2021 were received for information and file.

Change Order #3 for the Hale Avenue Improvements Project was received for information and file.

Public Services Committee will meet on Tuesday, March 09, 2021 at 5:00 p.m. in City Hall.

Administrative & Community Services Committee

Minutes of Administrative & Community Services Committee meeting held on February 11, 2021 were received for information and file.

Motion by Risavy, seconded by Morrison, for Approval to Award The CENTER Construction Contract to S.M. Wilson & Co. in the Amount of \$10,828,950.00.

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Mayor Patton thanked the many, many people who have helped with The CENTER project since the concept for it began in 2013 from grant writers to City staff members to generous donors and to his family.

Motion by Risavy, seconded by Morrison, to approve an Ordinance Amending Chapter 58 of the Codified Ordinances of Edwardsville, Illinois (Human Relations Commission).
Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Risavy, seconded by Farrar, to approve an Ordinance Approving a Zoning Amendment Rezoning the Aldrup – East Park Street Initiative Area Group A from R-2 Multiple Family Dwelling District to R-1 Single Family Residence District and Group B from M-1 Light Manufacturing District to MU-1 Mixed Use Downtown District.
Roll Call: Six Ayes, with Aldermen Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. One Abstention, with Alderman Morrison abstaining. Motion carried.

Motion by Risavy, seconded by Morrison, to approve an Ordinance Approving a Zoning Amendment Rezoning the St. Louis – West Street Initiative Area Groups A & B from B-2 Commercial / Business District to MU-1 Mixed Use Downtown District and Group C from B-2 Commercial / Business District to B1-B Mid-Downtown District.
Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

An Ordinance Certifying the Official Zoning Map of the City of Edwardsville, Madison County, Illinois was filed for first reading.

Motion by Risavy, seconded by Morrison, to approve a Resolution Approving the Final Plat of Arbor Lake Resubdivision Plat 2.
Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

Motion by Morrison, seconded by Burns, to approve a Resolution Approving a Variance for Building Height at 132 North Main Street.
Roll Call: Six Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack and Burns voting aye. One Abstention, with Alderman Risavy abstaining. Motion carried.

Motion by Risavy, seconded by Morrison, to approve a Resolution Authorizing a Land Exchange Agreement of Certain Real Estate to be Used for Public Purposes.
Roll Call: Six Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack and Burns voting aye. One Abstention, with Alderman Risavy abstaining. Motion carried.

The following items were received for information and file:

- 1) Minutes from Plan Commission meeting held on January 20, 2021
- 2) Minutes from Zoning Board of Appeals meeting held on October 26, 2020

- 3) Minutes from Historic Preservation Commission meeting held on January 13, 2021
- 4) Minutes from Cool Cities Initiative Advisory Committee meeting held on January 21, 2021

Administrative & Community Services Committee will meet on Thursday, March 11, 2021 at 5:30 p.m. in City Hall.

Old Business

None

New Business

None

Closed Session

At 8:13 p.m., motion by Stack to enter into Closed Session to discuss two items regarding Purchase or Lease of Real Property for the use of the City pursuant to 5 ILCS 120/2(c)(5).

Council entered into Executive Session at 8:19 p.m. Council reconvened at 8:26 p.m.

Action Taken on Executive Session Items

Motion by Farrar, seconded by Burns, to approve a Resolution Authorizing the Purchase of Certain Real Estate to be Used for Public Purposes (Schneider/Liberty Street Property).

Roll Call: Seven Ayes, with Aldermen Morrison, Krause, Farrar, Louer, Stack, Burns and Risavy voting aye. Motion carried.

There being no further action required, Council adjourned at 8:27 p.m. with a motion by Stack, seconded by Burns.



Hal Patton, Mayor

Attest:



Emily E. Bates, City Clerk

03-01-21

Having been informed through social media that the City of Edwardsville is holding a secretive unilateral meeting to discuss methods to usurp my 1st amendment rights, and to find a way to either illegally drive me from the community and/or imprison me for exercising those 1st Amendment rights – I find this notice necessary.

Attempting to alter the behavior or thought patterns of another person or group through the use of fear, force, or coercion, is textbook terrorism. And that is exactly what the City of Edwardsville is attempting to do – force me into bending to its will by intimidating me into abandoning my 1st Amendment rights that so many fought and died for.

And use of such force and coercion by a government entity is an absolute disgrace.

I might also add that the fire chief's comments of running people like me out of town are inappropriate and inexcusable. Even though I spend most of my time travelling the country and world, I'm sure I have a longer history in Edwardsville, than he/she has.

Setting aside for now the long history of dozens of complaint inquiries (ALL finally determined to be baseless) pursued by the City of Edwardsville, against myself and my property over decades, in attempts to curtail my personal freedoms, rights, and creativity – and their lies and harassment– I will focus primarily on the events of the most recent couple of weeks.

The material in question is simple political opinion. Everyone has the right to express their opinion in any of many various forms. The material in question has NO violent intent, intonations, or incitations - IT IS SIMPLY POLITICAL OPINION – no different from any SNL sketch, the guy who took the stage and said "█████ Trump", or the chick that carried a "severed head" of Trump on stage, or AOC saying Trump supporters should be listed for future retribution and punishment. Asking for justice against traitors and conspirators can in no manner be construed by a reasonable person as violent or terroristic. Additionally, none of the content is something that cannot be readily heard on an elementary school playground.

In fact, the opposite is true – the violent and hateful actions of those who suddenly, (after 25 years of my posting political commentary), find my moderate commentary offensive, is criminal. Over those many years, the response to my signage has been overwhelmingly positive. During periods when I would not have a sign posted, people would stop by and encourage me to put one up. I've covered many very controversial subjects – why only now is the City of Edwardsville seeking to get the FBI to declare me a domestic terrorist????? As William Zimmerman aptly posted on Facebook "... These ppl have been posting statements on their house for years like anyone cares..." (my bolding)

Following is the most recent series of inflammatory and escalating attacks designed to not only instill fear in me for my physical safety, over my political beliefs - but also intended to cause damage to my physical property and to deprive me of certain civil and Constitutional rights.

Feb ?? 2021

Unknown person or persons, in the dark of night, trespassed on my property at 113 E Schwarz St in Edwardsville IL, and stole a large vinyl banner with a conservative political message on it.

This theft could not be accomplished without entering the property noted, as this banner was displayed 5ft off the public sidewalk, behind a small retaining wall, steel mesh fence, and blackberry

thicket. It was also displayed at an elevation of 7-9 feet above sidewalk level. The thief or thieves would have had to climb 9 porch steps to be close enough to cut the 10 lines securing the banner.

This was a deliberate and criminal invasion of my property.

Feb 19, 2021

In the U.S. Mail, I received an anonymous piece of hate mail postmarked in St Louis, with a return address in Florida. The mail simply read "GIVE IT UP YOU [REDACTED] MORON", along with a meme. Not only is this a threat to my privacy and safety, using a return address that is not your own is, I suspect, mail fraud.

Feb 24, 2021

Two uniformed officers from the Edwardsville Police Department (obviously someone filed a complaint) paid me a visit to politely ask me to take down my political signage. I informed them that I declined on a 1st Amendment basis, and they left. While the EPD visit is no crime – complaining to police with the intent of suppressing of a person's 1st Amendment right surely must be.

Feb 25, 2021

When I opened the front door to check the mail, I noticed that several eggs had been thrown either at my house or political signage. This is not simple vandalism – this is a crime with its intent to intimidate me based on my political beliefs and statements. Incidental or coincidental to my assertion of my 1st Amendment rights???? (Was my house egg'd because the complainer found out I would not give up my 1st Amendment right??)

Feb 28 / Mar 01

Not sure whether this happened on the night of 2/28 or during the day on 3/1 – but I noticed it on my return in the afternoon on 3/1.

Unknown person or persons trespassed on my property at 113 E Schwarz St in Edwardsville IL, and, using some type of tool or destructive instrument, vandalized 2 large masonite signs with political messages on them.

This damage could not be accomplished without entering the property noted, as this signage was displayed 5ft off the public sidewalk, behind a small retaining wall, and steel mesh fence. It was also displayed at an elevation of 7-9 feet above sidewalk level. The thief or thieves would have had to climb 9 porch steps, in the light of four porch lights, to be able to do the damage that was done (knocking pieces of the signs outward toward the street).

This was a deliberate and criminal invasion of my property.

Feb 28

I was informed that facebook posting existed indicating the City of Edwardsville intended to conduct a hearing on Tuesday March 2nd to discuss options on how to either strip me of my 1st Amendment rights, run me out of town, or seek to have me imprisoned.

Mar 01

I was informed that the post mentioned above was removed, and when someone asked why it was removed, the reply was that the City of Edwardsville did not want me to find out, and have the

opportunity to show up at the meeting in defense of myself. At this point, I fear the next step will be physical bodily harm, so I filed a police report at this time (2021-9549). During the time the EPD officers were there to take the report, a citizen pulled in the driveway, got out of his vehicle, and stated his support of my messages.

From the time I put the signage up, there have been a few people drive by and say '██████ Trump', but they have been vastly outnumbered by persons driving by honking and giving a thumbs up.

It is apparent to any reasonable person that these attacks are escalating in boldness and violence - and instead of being stopped, the City of Edwardsville is joining in the criminal activity by holding secret, unilateral meeting to find methods by which to punish me, the victim. They may be separate attacks or they may be coordinated and systematic. In any case, they are crimes of hate, and of political persecution. They MUST not, and in fact, WILL not be tolerated. There are many things in life that I do not agree with, and though I do not have to accept them, I DO by law have to tolerate them. That two-edged sword also means others, (even governmental entities and personnel) must tolerate (not accept) my political, social, and cultural opinions.

I informed the EPD officers that took the report on 3/1, that no matter my political beliefs – during any time I spend in Edwardsville, I expect the City of Edwardsville not only to find the criminals doing this, but to also vigorously work to protect my life and property, liberty, and Constitutional rights, as it should for ANY citizen. The City of Edwardsville is fully aware that I am not a resident of the City, (and to be clear, I am not even a resident of the state of Illinois). I further expect the City of Edwardsville to respect the U.S Constitution, and to cease its efforts to punish me for my political beliefs and assertion of my 1st Amendment rights. Of course I am no saint, but in this matter, I have done nothing (and have no intention of doing anything) illegal, immoral, or unethical.

Additionally I want both a public and written apology from the fire chief who made the inappropriate remarks about me, a peaceful, law-abiding citizen.

Excuse any grammatical or spelling errors – I threw this together fairly quickly. Further clarification can be provided upon request.

M Stephen Taylor