

**COMMITTEE OF THE WHOLE
MONDAY – SEPTEMBER 9, 2019
LIBRARY MEETING ROOM - 380 N. WILMOR ROAD
WASHINGTON, ILLINOIS**

Mayor Manier called the Committee of the Whole meeting of September 9, 2019 to order at 6:30 p.m. in Library Meeting Room at Five Points Washington.

Present: Aldermen Adams, Black, Brownfield, Dingledine, Stevens, Yoder.

Absent: Aldermen Butler, and Cobb

Also present: City Administrator Forsythe, Controller Baxter, Public Works Director Andrews, Public Works Manager Schone, P & D Director Oliphant, Police Chief McCoy, City Treasurer Dingledine, City Clerk Brown, and Press.

MINUTES

1. Aldermen wishing to be heard on non-agenda item – None.
2. Citizens wishing to be heard on a non-agenda item – Jamie Cobb expressed her concerns with and opposition to a proposed special use request that would allow outdoor batting cages at 1756 Washington Road which abuts her property along Gillman Avenue. She indicated that she also attended the recent Planning & Zoning Commission meeting that held a public hearing on the matter where she and others expressed the same noise and lighting concerns and encouraged the Council to vote no to the request when it comes before them for a vote.

Kristi Howell, representing the Chamber of Commerce, provided a brief report on recent Chamber activities that included the following: this week is Chamber of Commerce week and they will be hosting an open house on Wednesday from 8:00 to 10:30 that includes a coffee and waffle bar; Business After Hours is moved back one week to coincide with Morningside's one year anniversary; they are very excited about exceeding their membership goal already for the year; Chevie and Brian Tibbs participated in the first meeting with City staff in order to provide improved communications; and the Mayor's Prayer Breakfast invitations are being designed and should be mailed September 15th.

Dan Semlow commented that he attended the recent Planning and Zoning Commission meeting and expressed his concerns with the noise that is generated with a batting cage and how it would affect his sleep as a third shift worker.

Amanda Andrews expressed her concerns with the proposed outdoor batting cage and how the noise and lighting will affect her property. She shared that she would also like to see the current lighting on the property redirected as well.

3. Approval of Minutes: Alderman Adams moved and Alderman Yoder seconded to approve the minutes of the August 12, 2019 regular Committee of the Whole meeting. Motion carried unanimously by voice vote.

4. **BUSINESS ITEMS**


A. Accounting System Recommendation – Controller Baxter presented recommendation for a new Enterprise Resource Planning (ERP) software solution that would replace the City's current accounting software system that has been in place the past 22 years. The following items were noted: 1) funds are budgeted; 2) demonstrations were conducted with various companies; 3) a Request for Proposal (RFP) resulted in four bid responses that represented a wide variety of applications and features and were not an apples-to-apples comparison; 3) based on demos and research, vendors were narrowed to the top two (Civic Systems & Tyler Technologies) and as a result of further investigation was narrowed to Tyler Technologies as the best fit for the City's

needs moving forward due to the functionality of services they provide; 4) the proposed costs are still being refined as we define what is best for our needs so the individual amounts shown could be lessened but would not exceed the total amount of \$214,590, and the final proposed cost will be determined by next Monday when it comes to Council for consideration; and 5) recommendation is to implement the financial applications first followed by community development and e-government applications. Following a brief discussion, it was the consensus to move this forward to Council for consideration.

- B. Adult-Use Cannabis Consideration – P & D Director Oliphant brought forward for discussion two items on the subject: 1) the implementation of a possible sales tax specific to the sale of adult-use cannabis that is allowed under the new Cannabis Regulation and Tax Act; and 2) the allowing the sale of adult-use cannabis in the City. He shared that in order to implement the up to 3% sales tax a submission is required to the IL Department of Revenue by September 30, 2019 which would require a first reading ordinance at the next Council meeting with a request to waive second reading. He indicated that the included IL Municipal League resources include ordinance models that either prohibit or allow the sale of adult-use cannabis in the City. City administrator Forsythe commented that by approving the sales tax it is only putting it in place for the future collection of the tax if the sale were to become allowable. Mayor Manier shared that he recently toured the Trinity medical dispensary in Peoria and has high regards for the protection and security in place but has had a great number of residents reach out to him on allowing the sale of adult-use and personally will not support it. Following discussion, it was the consensus to move the sales tax ordinance to Council for consideration and to move the adult-use sale to Planning & Zoning Commission for a public hearing.
- C. Proposed Ordinance Amendment: Poultry in Residential Districts – P & D Director Oliphant provided an update to the proposed ordinance that was unanimously recommended by the Planning & Zoning Commission at their 9/4/2019 meeting. He shared the only change from what was presented to the PZC was to increase the maximum allowable size of the poultry enclosure (including the run area) from 40 to 60 square feet. Discussion ensued on code enforcement and if notifying adjacent and adjoining property owners could be a regulation. P & D Director Oliphant shared that as part of the special use process all adjacent and adjoining property owners are notified of the public hearing where it will be discussed. It was the consensus to move this forward to Council for consideration as presented.
- D. Proposed Ordinance Amendment: Food Trucks – City Administrator Forsythe brought forward for discussion proposed regulations for motorized vendors (food trucks) noting the following: the use of the term ‘motorized vendor’ encompasses non-food vendors that currently operate periodically in the City offering other types of retail on private property; the proposed regulations would cover vendors operating on both private and some designated public properties/right-of-way; vendors are required to collect sales tax at the same 8.5% rate as brick-and-mortar businesses selling similar goods; the proposed annual fee of \$200 could be too high and be a deterrent for some; would allow motorized vendors at public and special events; there were no issues at a recent classic car show on the Square where motorized vendors were present; and other public properties and right-of-way outside of the Downtown Square could be considered. P & D Director indicated that tweaking could be done on the public property side that could reduce the annual fee and allow for space rental fees and not have a blanket one block setback from existing businesses where it would limit vendors from being on the Square. Discussion ensued on limiting how often vendors can operate on public properties, separating out public and special events into another category, how vendors draw business to other like-minded businesses in the area; and putting a focus on allowing vendors in public parking lots. It was the consensus to tweak the regulations based on comments and bring forward at a future meeting for consideration.
- E. Possible Roof-Mount Solar Zoning Code Amendment – P & D Director Oliphant shared that the City is seeing an increased demand for solar energy projects with 11 permits issued for roof-mount solar systems since April of 2018. He shared that special use requests have been issued for three roof-mount structures on an accessory structure and one is scheduled for the October Planning & Zoning Commission meeting and with the demand for placement on an accessory structure,

residents are looking at 45-60 days from special use application submittal to a decision. He shared that staff is recommending waiving the requirement to obtain a special use permit for an accessory structure where in most all cases they are taking advantage of their only south facing roof face on the property. He shared that any concern with the ability of the structure to handle the gravity and wind loads of the panels is addressed through the building permit process where a certification from a design professional is required attesting that the roof can suitably handle the load. He shared that staff is also recommending to increase the allowable roof coverage or eliminate the maximum 50% roof coverage limitation altogether. He shared that the NFPA Code also requires a 3' setback from the edge of the roof on each side, so with that only approximately 75-80% could be covered. Following discussion, it was the consensus to move this forward to the Planning & Zoning Commission for a public hearing on the proposed text amendment.

- F. Special Use: A & J Storage and Development, 1756 Washington Road – P & D Director Oliphant provided an update on a special use request to allow an outdoor batting cage at 1756 Washington Road noting the following: First reading of the ordinance is planned for the September 16th City Council meeting; residents spoke out against the special use at the September 4th Planning and Zoning Commission public hearing; the main issue presented was the noise a batting cage generates; the landscaping buffer zone when the building was occupied by Walmart helped buffer the commercial from the residential but the reinstalled landscaping placed after the tornado will take time to mature; the PZA voted 4-2 to recommend the special use with a time limitation of 8:00 a.m. to 8:00 p.m. and no additional lighting can be installed other than minimal security lighting that would be expected for all commercial buildings. Several Aldermen expressed their opposition to the special use request.
 - G. Private Sewer Lateral Insurance/Warranty – City Administrator Forsythe provided information regarding a service line warranty program endorsed by the National League of Cities and offered by Utility Service Partners, Inc. noting the following: several sewer lateral breaks have affected property owners and streets recently and results in property owners being responsible for repairs from the home to the junction box with the main, which in some cases can be under the street; the warranty program offers coverage for property owners for unexpected costs associated with their service lines; several rate structures are available; advantages for City is they do a massive marketing effort to homeowners educating them about their service line responsibilities (three mass mailings the first year and annually after that); a pool of local licensed contractors would be created to perform the service work; and the program has 24/7/365 day availability with affordable rates and payment methods. Alderman Adams asked if we could get a copy of what is covered and City Administrator Forsythe replies yes and staff has seen the coverages as well. Alderman Adams expressed his same concern a year ago when this was presented that the City logo would be used and also would like the City to pass on any revenues received from the program. City Administrator Forsythe shared that staff is of the same opinion on revenues and some communities use it to help low income properties. Following a brief discussion, it was the consensus to prepare a Request for Proposal (RFP) to see if there are any competing interest companies offering this type of program.
- 5. Other Business – Alderman Stevens indicated that the December 2017 Committee of the Whole minutes reflect that the Public Works Committee was favorable to revising the ordinance to have the private lateral on right-of-way to be maintained by the City and to move it on to Council for consideration. Alderman Brownfield shared that he could not remember why it did not move forward and Public Works Director Andrews indicated that there was no funding mechanism for the City to fund the expense of incurring the costs so it did not move forward.
 - 6. At 8:05 p.m. Alderman Brownfield moved and Alderman Black seconded to adjourn. Motion carried unanimously by voice vote.



Patricia S. Brown, City Clerk