

MONTICELLO CITY COUNCIL

September 23, 2019

Mayor Stoner called the meeting to order at 7:00 pm.

Mayor Stoner led the Council in the Pledge of Allegiance, and Kathy Sweet of Monticello United Methodist Church led the Council in prayer.

Roll Call was taken by City Clerk Jill Potts.

ROLL CALL:

Present: FRERICHS, SEBENS, HARLAN, JONES, BROCK, BURRIS, KOON, REED

Absent:

Also Present: John Carter, Chief of Police; Jim Grabarczyk, PW Director; Callie McFarland, Community Development Director; Maura Metcalf, HR/Finance Director; Brett Baker, Capital Improvements

PUBLIC PARTICIPATION:

Kim King was the first public speaker, and she is against cannabis being sold in Monticello. She feels the apathy in the community is due to several reasons, including that people elect officials “we feel have our strong values”, and because of a lack of education regarding the topic. Ms. King gave the Council a handout addressing the costs of legalizing cannabis (healthcare, law enforcement, etc.), and discussed these factors. She asked the Council to either directly ban the sale of cannabis here or to pass the Moratorium on the agenda this evening.

Mike Westjohn was the second speaker, and stated he echoed Ms. King’s sentiment. He feels a ban is the way to go, and also mentioned the cost this will place on healthcare and families. He wants Monticello to remain unique, and fears selling cannabis here through a dispensary will drive away potential businesses looking to locate here.

CONSENT AGENDA:

Claims Report (Claims dated September 10, 2019 through September 23, 2019)

Meeting Minutes –City Council Meeting Minutes September 9, 2019; Planning and Zoning Board Meeting Minutes August 19, 2019

Budget Report – August 31, 2019

Treasurer’s Report – August 31, 2019

Fire Report – August 2019

Alderman Koon asked what façade improvements Hartfield Book Company completed. Callie McFarland answered that they had purchased a new awning. Alderman Koon asked a question regarding the Budget Report, questioning the 672% net revenue used under the Pool Bond/Construction. Maura Metcalf will get back to Alderman Koon after looking at this further. With no further questions from Council, a motion was made by Alderwoman Sebens, and seconded by Alderman Reed, to approve the Consent Agenda items. A voice vote was taken and the motion carried with all present voting yes.

MAYOR'S REPORT:

Mayor Stoner welcomed BeSpoke Gift Company to town, which is opening at 107 W Main St in November. Upcoming events occurring this weekend include Homecoming, MTA's production of "Witness for the Prosecution", and Songs Along the Sangamon at the Allerton Music Barn. The City will be partnering with Cub Scout Pack 122 for the annual food drive 10.19.19. Mayor Stoner encouraged Council members to help promote this event. The Recreation Foundation will be hosting a Trivia Night on 10.26.19, and the Mayor would like Council to form a team and participate.

OLD BUSINESS:

Ordinance 2019-50: An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the City of Monticello, Illinois

Callie McFarland presented the following:

This Ordinance was first presented to the City Council at the last regularly scheduled City Council meeting of September 9th, 2019. The Council chose to not waive the second reading at that meeting. No discussion ensued and no changes have been made from prior submittal. This Ordinance adopts Supplement 20, which formally incorporates the changes made from previously adopted ordinances approved in 2019 from January through June, and identified in Exhibit A of the Ordinance, into the municipal code. Those ordinances are as follows:

2019-11; Liquor Ordinance Amendment (Class A & Class D)

Ordinance 2019-13; An Ordinance Amending Title V, Chapter 50 of the City of Monticello Code of Ordinances (Waste Hauling)

Ordinance 2019-14; An Ordinance Amending Title III, Chapter 31 of the City of Monticello Code of Ordinance to Create the Office of City Collector

Ordinance 2019-15; An Ordinance Amending Chapter 111 of Title XI of the City of Monticello Code of Ordinances to Create a Class K Liquor License Classification and Associated Regulations

Ordinance 2019-16; An Ordinance Amending Title XII, Chapter 130 of the City of Monticello Code of Ordinances Regarding Smoking in Certain Public Places

Mayor Stoner clarified that this Ordinance is codifying Ordinances already passed by Council. With no questions from the Council, a motion was made by Alderman Jones, and seconded by Alderman Brock, to approve Ordinance 2019-50. A voice vote was taken and the motion carried 8-0.

NEW BUSINESS:

Ordinance 2019-52: A Resolution Granting a Conditional Use Permit to Allow an Accessory Structure, 1000 Medical Center Drive, Kirby Medical Center

Callie McFarland presented the following:

Kirby Medical Center wishes to construct an accessory structure (storage shed) at their property, zoned Planned Industrial/Commercial (IC). Kirby Medical Center wishes to construct at 30' x 50' (1,500sf) pole-type building with dark brown metal siding and roof. The building height will be 16'6" to the peak. The storage building will include an entrance door, 4 overhead doors, guttering, concrete floor with 10' concrete apron. Building plans do not include heating and plumbing, and electricity will be installed for lighting and overhead door-openers. The building will be used for vehicle maintenance and item storage. The building will be located east and north of the MKC Ambulance building and will not create a need for additional parking. §153.020 (C) (2) of the City of Monticello Municipal Code states that a Conditional Use permit is required for "additional or other accessory buildings". The applicants are requesting a conditional use permit to allow for the additional accessory structure, so they can proceed forward with construction.

There were no questions or comments from the Council. A motion was made by Alderman Koon, and seconded by Alderwoman Sebens, to approve Ordinance 2019-52. A voice vote was taken and the motion carried 8-0.

Ordinance 2019-53: An Ordinance Rezoning a Parcel of Property From (IC) to (RE-1) and Granting a Conditional Use Permit to Allow a Planned Unit Development (PUD), Sage Woods Subdivision

Callie McFarland presented the following:

Kirby Medical Center wishes to develop this property as Sage Woods, a proposed active adult residential subdivision. Because the property is currently zoned as Planned Industrial-Commercial (IC), the applicant wishes to rezone the property to Single Family Residential (RE-1) to reflect an appropriate zoning designation for a residential subdivision. I have included a rezoning plat which depicts the meets and bounds of the area. Additionally, the owner has requested a Conditional Use Permit to allow a Planned Unit Development for the proposed Sage Woods Subdivision. A Planned Unit Development (PUD) is a process intended to encourage and address creative development and redevelopment opportunities for areas that otherwise may not be attainable under the current zoning regulations. A PUD is beneficial to a developer/ owner, in that the developer gets extra flexibility

that isn't necessarily allowed in a zoning ordinance. The municipality also gets the opportunity for extra control and consideration for uses, open space, impacts, etc. A Planned Unit Development in a Single-Family Residential (RE-1) zone is allowed upon issuance of a conditional use permit. Sage Woods Subdivision will be a residential development combining traditional neighborhood design and conservation open space design. The proposed development would have 19 single family dwelling lots. The proposed development would be developed with over 4 acres of open space in a common area, and would allow for pedestrian and bike path connectivity to the existing amenities in the Jefferson Parkway subdivision. The development would follow the general goals identified in the city's comprehensive plan. In a Single Family Residential (RE-1) zone, the minimum lot width is 75' for a single-family residential use, and the minimum lot area for single family residential use is 8,000sf. The minimum lot setbacks in a Single Family Residential (RE-1) zone are 30' in the front; 10% of the lot width with a minimum of 8', maximum of 10' on the sides; and 20' in the rear. Some of the proposed lots would deviate from these area, width and setback requirements. The Planned Unit Development process allows for these deviations- as shown in the submitted plans- should they meet the PUD requirements outlined in the zoning ordinance. In order to have the opportunity to move forward with their plans, Kirby Medical Center is requesting a conditional use permit to allow the Planned Unit Development in a Single Family Residential (RE-1) zone; and deviations from the minimum lot area, lot width, and front and side yard setbacks. Steve Tenhouse, with Kirby Hospital, Neil Finlen, with Farnsworth, and Floyd Allsop, Consultant, were present to answer questions and present an overhead of this project.

A motion was made by Alderman Brock, and seconded by Alderman Reed, to waive the 2nd reading. The motion passed with 7 yes votes and 1 no vote (Jones). A motion was made by Alderman Frerichs, and seconded by Alderwoman Sebens, to approve Ordinance 2019-53. A voice vote was taken and the motion carried 8-0.

Ordinance 2019-54: A Resolution Approving a Preliminary Plan, Sage Woods Subdivision

Brett Baker presented the following:

Kirby Medical Center wishes to develop this property as Sage Woods, a proposed active adult residential subdivision. Because the property is currently zoned as Planned Industrial-Commercial (IC), the applicant wishes to rezone the property to Single Family Residential (RE-1) to reflect an appropriate zoning designation for a residential subdivision. I have included a rezoning plat which depicts the meets and bounds of the area. Additionally, the owner has requested a Conditional Use Permit to allow a Planned Unit Development for the proposed Sage Woods Subdivision. A Planned Unit Development (PUD) is a process intended to encourage and address creative development and redevelopment opportunities for areas that otherwise may not be attainable under the current zoning regulations. A PUD is beneficial to a developer/ owner, in that the developer gets extra flexibility that isn't necessarily allowed in a zoning ordinance. The municipality also gets the opportunity for extra control and consideration for uses, open space, impacts, etc. A Planned Unit Development in a Single-Family Residential (RE-1) zone is allowed upon issuance of a conditional use permit. Sage Woods Subdivision will be a residential development combining traditional neighborhood

design and conservation open space design. The proposed development would have 19 single family dwelling lots. The proposed development would be developed with over 4 acres of open space in a common area, and would allow for pedestrian and bike path connectivity to the existing amenities in the Jefferson Parkway subdivision. The development would follow the general goals identified in the city's comprehensive plan. In a Single Family Residential (RE-1) zone, the minimum lot width is 75' for a single-family residential use, and the minimum lot area for single family residential use is 8,000sf. The minimum lot setbacks in a Single Family Residential (RE-1) zone are 30' in the front; 10% of the lot width with a minimum of 8', maximum of 10' on the sides; and 20' in the rear. Some of the proposed lots would deviate from these area, width and setback requirements. The Planned Unit Development process allows for these deviations- as shown in the submitted plans- should they meet the PUD requirements outlined in the zoning ordinance. In order to have the opportunity to move forward with their plans, Kirby Medical Center is requesting a conditional use permit to allow the Planned Unit Development in a Single Family Residential (RE-1) zone; and deviations from the minimum lot area, lot width, and front and side yard setbacks.

Alderman Burris questioned that there is only one access point to this development, and wondered if traffic congestion is a concern with this area. Callie McFarland pointed out that in the future this will connect with Walden Pond and a second through access will be present. Neil Finlen feels this project has been well thought out, and thanked City Staff for their work. Mr. Finlen said access has been tested with a large truck, and stated the density of the development is low, with only 19 homes. He does not feel traffic congestion will be an issue. Alderman Frerichs stated he drives this area often and said he does not currently see any traffic issues. Steve Tenhouse stated that when Kirby Hospital was built, they deliberately designed more road to get to the hospital, even though this was more expensive, to address and alleviate any potential traffic problems. Alderwoman Sebens questioned the setbacks, and Alderwoman Harlan verified that a walking trail will go through the development. With no further questions from the Council, a motion was made by Alderman Jones, and seconded by Alderwoman Sebens, to approve Ordinance 2019-54. A voice vote was taken and the motion carried 8-0.

Ordinance 2019-55: An Ordinance Approving the Final Plat of Sage Woods Subdivision

Brett Baker presented the following:

Brent A. Bazan, P.L.S. with Farnsworth Group and Kirby Medical Center (owner) have submitted a Final Plat for Sage Woods Subdivision and supporting documents to City staff for review. This subdivision is located along the North side of Medical Center Drive West of Kirby Medical Center. Kirby Medical Center is proposing a subdivision of property to create the Sage Woods Subdivision. The intention of the owners is to construct a single-family residential subdivision. This subdivision meets the definition and requirements of Chapter 152 Section 152.044(f) of the Municipal Code (Final Plat Submission, Review and Approval). This subdivision requires a preliminary plan, the required public notice was published in the August 28th edition of the Piatt County Journal Republican; no public comments were brought to staff. The Planning and Zoning board met at their regularly scheduled meeting on September 16, 2019 and held the required public hearing; no

comments were brought from the public. The Planning and Zoning Board approved the motion with a vote of 5 yes, 0 no and 2 absent. This Subdivision Final Plat does require City Council approval by way of ordinance passage.

With no questions from the Council, a motion was made by Alderwoman Sebens, and seconded by Alderman Frerichs, to waive the second reading of this Ordinance. The motion passed 7-1 (Jones no). A motion was made by Alderman Frerichs, and seconded by Alderman Reed, to approve Ordinance 2019-55. A voice vote was taken and the motion carried 8-0.

Resolution 2019-56: An Ordinance Establishing a Moratorium on Cannabis Business Establishments and Infusers

City Attorney Dan Bolin presented the following:

The State of Illinois recently passed the Cannabis Regulation and Tax Act regarding recreational use of cannabis by adults age 21 and older. The Monticello City Council has placed recreational cannabis on five City Council agendas and has discussed the same at those scheduled meetings occurring on July 8, July 22, August 12, August 26, and September 9 and will do so again later this evening. To date there has been no voluntary public participation at these meetings regarding recreational cannabis. At the request of this Council, the Planning and Zoning Board conducted a public hearing regarding recreational cannabis and possible moratorium at their regularly scheduled meeting on September 16, 2019. The moratorium will simply allow this Council to conduct more research and to garner more public input until a decision can be made in the near future. The Planning and Zoning Board heard testimony from seven individuals during their regularly scheduled meeting held on September 16th, 2019. Six of the seven individuals spoke in opposition of the sale of recreational cannabis and one individual stated that they were neutral on the subject. The Planning and Zoning Board recommended approval of the moratorium by a vote of 3 yeas, 2 nays and 2 absent. Alderman Koon reiterated that the Council does not intend to take the full 12 months, hoping to make a decision sooner.

A motion was made by Alderman Koon, and seconded by Alderman Frerichs, to waive the second reading. The motion passed with a 7-1 vote, with Alderman Jones voting no. A motion was made by Alderman Brock, and seconded by Alderman Reed, to approve Ordinance 2019-56. A voice vote was taken and the motion carried 7-1 (Jones voted no).

Recreational Cannabis: Discussion Only

Alderman Koon feels more public opinion is needed. Methods of collecting opinion were discussed, as well as possible reasons thus far for public apathy regarding this topic.

ALDERMEN'S AND ALDERWOMEN'S REPORTS:

Alderman Burris likes the recent public art installation, and is looking forward to more. Alderman Reed mentioned the recent Cardinal/Cub series, and Alderman Frerichs felt the Monticellobration last weekend was a success. He also would like to participate in Trivia Night if able. Alderman

Koon recently attended the IML conference in Chicago and felt it was valuable, stating the most attended sessions were on Cannabis. Alderman Brock reminded everyone to attend Homecoming festivities this weekend, and said he felt the Celebration was a success. He stated he was disappointed in the lack of clean-up in the libation areas, witnessing a lot of trash on the streets Sunday morning. He suggested a provision to the liquor license for the event next year should be cleaning up your libation area. He gave kudos to the 2 City employees he saw at the Celebration on clean-up duty, and said he feels there needs to be more staff assigned as two people could not handle the job. Alderman Brock also stated he would like all the Alderpersons to tour the almost completed WWTP, saying “we should see what we said yes to”.

POLICE CHIEF’S REPORT:

Chief Carter thanked Alderman Burris, who was out at 2:00 am last Saturday morning assisting with barricades for the Celebration. The Hidden in Plain Sight display was a success, as was the Dunk Tank, which raised money for Shop with a Cop. He reminded everyone to be careful when driving this Friday due to school pedestrian traffic for the Homecoming Parade, and gave the locations from which each school will watch the parade.

CITY ADMINISTRATOR’S REPORT:

None

At 8:01 pm a motion was made by Alderman Brock, and seconded by Alderman Frerichs, to adjourn the meeting.

Respectfully Submitted by:

Jill Potts

City Clerk