

**COMMITTEE-OF-THE-WHOLE  
MINUTES  
February 15, 2022**

Mayor Gallo called the Committee-of-the-Whole meeting to order at 7:30 p.m.

**COUNCIL IN ATTENDANCE:** Aldermen Karen McHale, Nick Budmats, Kevin O'Brien, Jenifer Vinezeano, Jon Bisesi, Mandy Reyez and Lara Sanoica

**COUNCIL MEMBERS ABSENT:** None

**STAFF IN ATTENDANCE:** City Manager Rob Sabo, Deputy City Clerk Judy Brose, Assistant to the City Manager Lori Ciezak, Police Chief John Nowacki, Fire Chief Jeff Moxley, Deputy Fire Chief Pete Sutter, Director Public Works Rob Horne, Assistant Director Public Works JoEllen Charlton, Chief Information Officer Waseem Khan, Business Advocate Martha Corner, Inspector Ryan Rivard and City Attorney Melissa Wolf

Mayor Gallo announced that the floor will be open to the audience for 20 minutes to address the City Council on matters that are on the agenda after the City Council discusses with Staff. Persons wishing to address the City Council keep their comments to 5 minutes in length. Comments must be addressed to the Council as a whole through the Mayor, and profanity may not be used in any form.

**1) Discussion of Coal Tar Sealants/ Polycyclic Aromatic Hydrocarbons (PAHs)**

Ryan Rivard of Public Works stated that during late 2021 and throughout 2022, the Rolling Meadows Environmental Committee (EC) has discussed and collected research on the environmental impacts of coal tar-derived pavement sealants. This was in connection with improving stormwater management and addressing pollutants within the City.

As part of the research provided by the Environmental Committee, it was found that 1) coal tar driveway sealants are widespread pollutants of water and major health threats, 2) homeowners and businesses can easily use similar products without coal tar, and 3) many local municipalities and states have banned coal tar products either entirely, or in part.

The use of sealers on asphalt driveways is a common practice. Products made with coal tar or with asphalt dominate the market, but coal tar products contain thousands of times more Polycyclic Aromatic Hydrocarbons (PAHs) than asphalt-based products. Other products, such as gilsonite and acrylic, contain little to no PAHs.

The Environmental Committee is recommending that an ordinance be created for a coal tar sealant ban in the City of Rolling Meadows. The language proposed has three parts: 1) prohibit the use of coal tar products on public property and private property; 2) prohibit the sale of coal tar products; and 3) require a license of applicators.

Based on the Environmental Committee's research, safer asphalt-emulsion sealants have about 1/1000<sup>th</sup> of the PAHs of coal tar sealants. Asphalt-based sealants are similar to coal tar sealants in cost and durability and are widely available from contractors and in stores. Other alternatives would be to leave pavement unsealed or to replace asphalt with concrete, pavers, or surfaces other than asphalt.

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Much of the research performed indicates that the ban of coal tar-based seal coating can positively benefit human and animal health. Discussions have found that there are few identified consequences associated with this ban and would not have a negative effect on any of the City's road construction activities in Rolling Meadows.

Staff cannot identify any real negative impacts resulting from the proposed ban. However, should the Council decide to not ban the sale of coal tar sealant, the Environmental Committee request consideration be given to requiring an application license with an increased cost for contractors that use coal tar-based products, in order to discourage its use.

Several states have chosen to ban coal tar sealant from their communities, such as; Minnesota, Washington State, and Washington DC. Local communities have also begun banning coal tar, including Winnetka, South Barrington, and Highland Park. Other area locations and additional information can be found at: <https://coaltarfreeamerica.blogspot.com/p/bans.html>

Additional consideration is a State-wide ban. Currently, the issue of a coal tar ban is a matter that is under consideration by the State of Illinois. Based on staff research, there have been four (4) House Bills proposed in the last eight (8) years. It is likely that since Illinois is a large Coal State, lobbyists have blocked the approval of a coal tar ban within the State so that means it is up to the municipalities to create their own ban and code adoptions to regulate the use of coal tar.

Council discussed this matter and would like Staff to research how other communities handled the coal tar ban, check if there are any wholesalers in Rolling Meadows and if this product is used in roofing.

Alderman Sanoica stated that it would be beneficial if the City gives advance notice or commit to a specific date.

Director Horne stated that wholesale consideration will be addressed in the ordinance and prior to bringing the ordinance to Council they will research the questions and the answers will be provided.

Mayor Gallo took the following straw votes:

Does Council support the Environmental Committee recommendation to establish an ordinance that prohibits the use of coal tar pavement sealants on applicable public and private roadways/driveways? 7 in favor; 0 opposed.

Does Council support enforcement of this matter only in conjunction with applicable permits, where sealant materials might be utilized? 7 in favor; 0 opposed.

Council supports an initial education and awareness approach as Phase 1 and revisit active enforcement in a year.

## **2) Economic Development Committee - 2022 Goals Review**

Martha Corner, Business Advocate stated that over the past several months, the Economic Development Committee (EDC) has focused on establishing goals (areas of focus) for 2022. During this time, the EDC narrowed the goals into three (3) main areas. The EDC now seeks Committee of the Whole (COW) discussion on the related items and requests endorsement of moving forward on the goals as noted in this report.

For reference and to provide background on the basis for recent EDC discussion, below is the list of EDC duties per the *Rolling Meadows Code of Ordinances (Article IV, Section 78-99)*:

EDC Duties include 1) Develop services and programs to attract new and to expand existing business activities; 2) Develop services and programs to assist in the retention of existing business facilities; 3) Develop special assistance programs for the business community to create a favorable climate for the successful operation of City business facilities; 4) Foster cooperation among the community resources and organizations in order to engender a coordinated and multifaceted approach to economic development; 5) Promote communication within the community at large concerning the City's economic development needs and the committee's goals and programs; and 6) Submit an annual report to the City Council detailing activities and accomplishments of the prior year and goals and objectives for the coming year.

Based on an understanding of these duties and their desire to use EDC meeting time constructively, three main goals and respective areas of focus the EDC are listed below.

Goal/Area of Focus #1: Assist Existing Businesses: A) *Restaurant Promotions* - Example: Meet Chicago Northwest Eat Local Week – Allows for increased regional recognition of restaurants through the City's partnership with Meet Chicago Northwest at no cost to participating restaurants. The desired result would be increased awareness, patronage, and profitability for restaurants. An additional opportunity is to promote restaurants through the City's social media via specialized campaigns (i.e. National Pizza Day featuring local pizza establishments). Social media presents a low cost marketing opportunity for the City and an opportunity for increased visibility for restaurants through City social media platforms. B) *Property Improvements* - Example: Exterior property enhancements through grant based programs (Formal City approvals would still be required for any grants, e.g. outdoor seating areas, walkway in front of establishment, awning and signage improvements, etc.). Such a program would improve the façade appearance and the overall aesthetics of a business. Improved curb appeal results in a more inviting and noticeable appearance to potential customers and increased foot traffic for the business. C) *Small Business Forum, Mentoring, Business Resource Guide* - Example: Combine list of different business resources in a single document (print and digital publication). This item can also be used as a business attraction tool also. To support entrepreneurship in the City, there are opportunities to create publications and programs that offer guidance and learning opportunities on a variety of topics which impact small businesses. Providing support for small businesses ensures they have access to important information that will ultimately help with business retention.

Goal/Area of Focus #2: Attract New Businesses: A) *Restaurants* - Reminder: Current incentive program is in effect and materials are shared by staff with entities or developers interested in developing or re-purposing restaurant or retail locations (certain guidelines apply). B) *Shopping*. C) *Gathering Places* - Example: Green spaces with seating within the Kirchoff Road corridor and other commercial areas. Providing outdoor gathering spaces presents opportunities for people to enjoy al fresco dining. Communities have utilized a variety of approaches to create outdoor areas within business districts which support area restaurants and also function as a placemaking opportunity. Such outdoor gathering places adds to the economic and social vitality of the community and also supports restaurant patronage. D) *Land Owners/Rent Affordability* – The EDC would need to further explore if this is possible; it may not be feasible. Rental rates are a function of private property ownership and municipalities are limited in their ability to control private property rental rates.

Goal/Area of Focus #3: Commercial Area Aesthetics: A) *Signage* - Example: In keeping with the Rolling Meadows Comprehensive Plan and efforts of other local public entities, invest in/review the feasibility of installing wayfinding signs (Kimball Hill Park, Ice Rinks, Shopping, etc.). Wayfinding signage offers aesthetically pleasing directional signage for visitors to Rolling Meadows to find notable landmarks and or frequently visited locations.

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B) *Landscaping* - Example: Continue review of possible site improvements for the commercial area adjacent to the Algonquin/Golf Road intersection. Improved landscaping in business districts creates an aesthetically pleasing corridor which makes shopping, dining, and visiting business areas more inviting. Nice landscaping creates curb appeal which results in new businesses who may choose to locate in a specific area based on its aesthetic appearance and also creates an inviting atmosphere for customers to patronize. C) *Curbs*. D) *Bicycle Features* - Example: Expand on current extension of bike path routes, and possibility of placing bike racks at common gathering places within the City.

The report was a high-level overview of recent EDC efforts to focus on tangible economic development efforts to benefit the City of Rolling Meadows business community. Staff will work to identify specific program recommendations that support the goal objectives to present to the City Council in the future and also any budgetary recommendations for economic development activities that allow the City to meet its goals.

Alderman Sanoica stated that there is no mention of our industrial spaces to make them more marketable for smaller or medium industry in the future. Alderman O'Brien stated that EDC had a lot of discussion regarding the industrial areas but with not knowing what's going to be developed on Euclid Avenue, EDC discussed what type of guidance to provide to staff to get the vacancies filled or should they go into a holding pattern to see what's going to transpire over the next 18-24 months so there is no clear direction for that area. Alderman Sanoica suggested to have a Plan A and Plan B considering there may be two separate opportunities.

Alderman Vinezeano stated that because the City has the incentive program they really want to build the downtown area of Kirchoff Road and that has been their focus area. The north side and south side of Kirchoff Road are vastly different and EDC is looking at how to meld them together and make it more of a downtown area. This is how EDC started and built some of the goals into that (wayfinding, esthetics, etc).

Alderman Budmats stated that there isn't anything about the Class 6b incentive. Alderman Vinezeano stated that there has been extensive conversations about 6b's and about setting a threshold for dollars spent before it would go to City Council so staff is currently working on that to bring to EDC for more discussion.

Council discussed this matter and Mayor Gallo took a straw vote to see who is in agreement with the EDC's recommended goals to serve as focal points of the City's ongoing economic development efforts? 7 in favor; 0 opposed.

Business Advocate Martha Corner asked if there are there any items that may have been missed from the goals that should be included. Mayor Gallo stated 6b's and modification to the industrial/manufacturing spaces but that can be a work in progress for future goals.

Business Advocate Martha Corner asked if Council would like to prioritize the three goals knowing funding may be required in the future, as an example is Goal #2 a higher priority than Goal #1. Alderman O'Brien stated that the EDC wants to make sure they're empowered with the support of the City Council before they start delving into each items. Alderman O'Brien and Alderman Vinezeano added that there is a primary and secondary person assigned to each item so there are constantly moving parts and they're not just focused on one at a time. Mayor Gallo stated Council would defer to EDC to what's manageable and leave it up to EDC to provide City Council with status updates.

### **3) Considerations related to IDOT Route 53 Bridge Letter of Intent**

JoEllen Charlton, Assistant Director Public works stated that the purpose of the presentation is to update the Council on the project the State announced in 2018. There has been multi-year history of correspondence between the State and the City with regard to the State's plans to rehabilitate Route 53 bridges in the coming years, including the five bridges in Rolling Meadows that include 1) Industrial Avenue; 2) Euclid Avenue; 3) Kirchoff Road; 4) Salt Creek Crossing; and 5) Algonquin Road. Early on, the State was careful to emphasize that funding for the identified project was intended for "rehabilitation" only, not to reconstruct or address deficiencies in existing bridge geometry or function. So, while staff advised the State of a desire to address deficiencies in the Euclid bridge design and geometry to make the bridge more accommodating to the future redevelopment of the Arlington Race Course property, the State asserted available funding is limited to fix what is already in place.

The City has been cooperating with the State's Phase 1 engineering efforts by providing information, as well as, requesting that the rehabilitation projects include both physical and aesthetic upgrades. As Phase 1 engineering nears completion, the State is now requesting the City's "concurrence" with proposed roadway geometry and scope of work questions, including whether or not the City has continued interest in pursuing aesthetic upgrades.

Staff has confirmed that the City's concurrence does not financially obligate the City at this time. Instead, the City's request to move forward with aesthetic enhancements will signal the State to develop cost estimates for enhancements that the City can then use to identify and prioritize potential financial obligations in the future. As with any State project, the City's request to upgrade features comes with the requirement that the City will assume on-going maintenance.

The State did agree with the City's request to increase the width of the existing pedestrian path under I-53 on the south side of Algonquin. Increasing the width of the path to 14' is supported by local and regional plans, so the construction cost will therefore be covered by IDOT as part of the bridge rehabilitation. Ongoing maintenance, however, will be the responsibility of the City. The State will replace the existing multi-use path under the Industrial Avenue Bridge, add an 8' wide shoulder across Euclid Avenue Bridge and replace the walkway (in kind) under the Kirchoff Road Bridge.

Council was concerned if IDOT's plans for Euclid Bridge were sufficient to handle the traffic when something is built at Arlington Park. JoEllen Charlton stated the State is monitoring that situation and realize they may need to modify their plans. Ryan Lindeman stated that the scope is strictly for rehabilitation and structural improvements.

Rob Horne, Director Public Works stated that once Council gives direction, this matter will be discussed at the Capital Improvements Committee and they'll start to identify any potential projects to align with this project.

Council discussed this matter and Mayor Gallo took a series of straw votes so the City can respond to IDOT by March 17, 2022. Does Council concur with the Project Scope? 7 in favor; 0 opposed. Does Council concur with shared-use path scope and long term maintenance? 7 in favor; 0 opposed. Does Council concur with bridge aesthetics costs and long-term maintenance? 7 in favor; 0 opposed.

#### **4) Discussion of STP Call for Projects and Capital Projects Funding Readiness**

Rob Horne, Director Public Works stated that the Northwest Municipal Conference (NWMC) is a cooperative body focused on programming federal transportation funding for local road, transit, and bicycle facility projects. Members of the NWMC operate through a Technical Committee comprised of mayors and managers representing local governments on transportation issues through the Chicago Metropolitan Agency for Planning (CMAP). CMAP serves as the Chicago region's Metropolitan Planning Organization (MPO) and is responsible for the programming of federal Surface Transportation Program (STP) funding. The STP utilizes funds from the Fixing America's Surface Transportation Act or "FAST Act" federal transportation legislation to assist municipalities with implementing eligible transportation projects. NWMC Planning Liaison staff also assists municipalities with programming other federal transportation fund sources including the Congestion Mitigation and Air Quality (CMAQ) Program, Illinois Transportation Enhancement Program (ITEP) funds, Transportation Alternatives Program (TAP) and Safe Routes to School funds.

The NWMC issues the STP Call for Projects every two years, the first call having occurred in January 2020. Each call solicits projects covering the next five federal fiscal years (FFY). The NWMC's 2022 "Call for Projects" for Local Surface Transportation Program (STP-L) funding was opened on January 17, 2022. This funding cycle will cover FFY 2023-2027. Applications are due March 18, 2022. Project applications are then evaluated by NWMC Technical Committee members and selected for CMAP Transportation Committee consideration. Final programs will be presented to the CMAP Transportation Committee on September 16, 2022 and approved by the CMAP Board and MPO Policy Committee on October 12, 2022.

In early January of this year, the NWMC held an STP Workshop Webinar where planning liaisons strongly encouraged local municipalities to submit projects during the 2022 funding cycle. The NWMC has a 100% funding allotment obligation goal with a desire to "over-program" during this cycle in order to build a contingency program that can quickly adapt and respond to shifting project schedules, cost estimates, and other factors that might leave 100% funding obligation goals otherwise unmet.

It should be noted here that an unprecedented number of federal and state funding sources are becoming available as the nation continues to contend with the effects of COVID-19 and declining infrastructure ratings by reinvesting and rebuilding local communities. These funding sources include, but are not limited to:

- American Rescue Plan (ARPA Funds) – Sewer, water, & broadband infrastructure
- Infrastructure Investment and Jobs Act (IIJA) – The passage of this Act has resulted in an increase of approximately 27% to STP federal funding allotments for Illinois with numerous additional competitive grants anticipated to come online in the first quarter of 2022.
- Rebuild Illinois Bond Program (RBI) – Local roads improvements
- Senate & House Appropriations – Discretionary spending for Illinois projects

The maximum total amount of STP participation for any project is \$3,500,000, inclusive of all phases. Any expense over the maximum STP participation amount will be the sole responsibility of the sponsoring agency.

Meetings with the Public Works Director, Assistant Public Works Director, Public Works Operations Superintendent and City Engineers (Christopher B. Burke Engineering, Ltd. – CBBEL) have been held to develop a list of capital projects for Council consideration and application for STP-L funding as part of the FY2022 Call for Projects. While the focus of these meetings was to identify needed capital improvement projects that are eligible for STP-L funding, additional projects that could benefit from forthcoming infrastructure investment funding and/or shifting federal funding eligibility criteria were also discussed.

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While Phase I Engineering is not eligible for STP funding, the NWMC review of submitted project applications does evaluate “*Project Readiness*” as well as “*Inclusion in Contingency Program*” awarding almost 25% of a project’s total possible points under this criteria to projects that have Phase I engineering completed and Phase I design approval granted through IDOT. Provided funding availability and City Council approval, it is the recommendation of the Public Works Department to initiate Phase I design engineering contracts for capital improvement projects with the objective of being proactive and ready when competitive funding opportunities are made available. If this goal is implemented, projects submitted in future funding cycle calls will score better, are more likely to be awarded funding, and are also more likely to be included in contingency programming when not selected for funding award.

The contingency programing list are those projects, just outside of the program year that have potential for funding as the program year evolves and projects expected to occur get deferred for a variety of reasons, including delays in the IDOT review process.

Federal funding for infrastructure is expected to become available in the very near future. It is likely that the Federal Government will utilize existing infrastructure for the selection and distribution of those funds to address infrastructure needs. As a result, CMAP and NWMC staffs are strongly encouraging municipalities to pursue federal funding based on the influx of funding expected to ensure that 100% of the funding made available is spent in our (the City’s) region. There are several projects that can be applied for through the STP funding opportunity. As a result, staff encourages the Council to consider submission of applications for funding during this year’s call.

As a reminder, the STP “call for projects” only happens every other year. Therefore, the next opportunity to submit for funding will be in 2024, after this influx of funding has already been allocated. For those projects not eligible for STP funds, Staff will pursue other funding opportunities to determine whether or not additional funding opportunities might be available for those projects.

Council discussed this matter and Mayor Gallo took a series of straw votes as follows:

Is Council supportive of staff submission of funding applications for the identified STP-L eligible projects for 2022? (*Understand that actual construction funding could be five (5) years out*). 7 in favor; 0 opposed.

Is Council supportive of Public Works working with the City Engineer to initiate Phase I engineering for any/all of the STP eligible projects? 7 in favor; 0 opposed. (Staff will seek Council’s approval for each project when funding is needed.)

If Staff and the City Engineer are successful in getting functional reclassifications for the two identified roadways (Meadowbrook/Lois & Campbell Street), would the Council be in favor of application submissions on these as well? 7 in favor; 0 opposed.

If the Council is supportive of submitting applications on the reclassification routes, should Staff work with the City Engineer to prepare Phase 1 engineering efforts on those projects (Meadowbrook/Lois & Campbell Street) as well? 7 in favor; 0 opposed.

Are any of the projects that City Council would like staff to prioritize going into this Capital Improvement Planning season? (*Funding opportunities are regularly pursued with all grant eligible projects*) No straw vote was taken but the majority of Council would like Central Road to be the primary focus.

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Rob Horne, Director Public Works stated that the first step is submitting the applications (by 3/31/22) and then discuss what is required for Phase 1 engineering and get preliminary estimates. Now that Staff has good direction they will provide a status update by the end of May.

Mayor Gallo asked for a motion to adjourn. Alderman Vinezeano made the motion and was seconded by Alderman O'Brien. A voice vote approved adjournment.

There being no further business, by unanimous consent the Committee of the Whole meeting was adjourned at 9:39 p.m.

Respectfully submitted: Judy Brose, Deputy City Clerk

February 15, 2022 Committee of the Whole Minutes Approved by Council on March 8, 2022.

*Judy Brose*

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Judy Brose, Deputy City Clerk