

**COMMITTEE-OF-THE-WHOLE
MINUTES
August 20, 2019**

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

COUNCIL IN ATTENDANCE: Aldermen Nick Budmats, Kevin O'Brien, Jon Bisesi, John D'Astice and Lara Sanoica

COUNCIL MEMBERS ABSENT: Aldermen Mike Cannon and Jenifer Vinezeano

STAFF IN ATTENDANCE: City Manager Barry Krumstok, Finance Director Melissa Gallagher, Deputy City Clerk Judy Brose, Assistant to City Manager Lori Ciezak, Police Chief John Nowacki, Fire Chief Terry Valentino, Director Public Works Rob Horne, Assistant Director Public Works Jo Ellen Charlton, Administrative Services Coordinator Elizabeth Payne, Business Advocate Martha Corner and City Attorney Melissa Wolf

1) Recreational Marijuana

Barry Krumstok, City Manager - On June 25th Governor JB Pritzker signed Public Act 101-0027 (Cannabis Regulations and Tax Act – also known as CRTA) legalizing adult-use cannabis. It becomes effective January 1, 2020. The law legalizes private consumption and possession of cannabis for Illinois adult residents over 21 years old. [Non-residents may legally possess lower amounts of cannabis]. The law also permits municipalities to regulate possession and public consumption of cannabis in a manner consistent with the new State law.

As part of the law, municipalities can impose zoning regulations for businesses they choose to permit. If permitted, which currently the City does allow, a business license for all adult-use cannabis facilities is required. As part of the law, municipalities that permit adult-use cannabis businesses can also determine whether to permit or prohibit on-premises consumption. The law also allowed municipalities that choose to permit adult-use cannabis to be sold have the ability to impose a local excise tax up to 3%.

If the City determines it will authorize the retail sale of adult-use cannabis by approved dispensing organizations, the Act allows for the imposition of a municipal tax under the Municipal Cannabis Retailers' Occupation Tax Law. As mentioned previously, the tax may be up to 3% of the gross receipts of cannabis products, and can be imposed in 0.25 % increments. While the law presently would allow for the tax to be effective not sooner than September 1, 2020, the Illinois Municipal League recommends that municipalities consider adopting the tax ordinance imposing the tax effective on January 1, 2020, and certify the ordinance to the Illinois Department of Revenue by October 1, 2019, in anticipation of a legislative amendment to the Act that may authorize the local tax as of January 1, 2020.

[Please note that the State of Illinois will also derive revenues from state taxes and license fees imposed on cannabis business establishments, with a portion of those proceeds distributed to local governments, including municipalities, to fund crime prevention programs, training and interdiction efforts. These state taxes and license fees will be imposed in addition to the above described Municipal Cannabis Retailers' Occupation Tax, and all other occupation, privilege or excise taxes imposed by the State of Illinois or by any unit of local government. {To further explain the above, pursuant to the Act, municipalities are supposed to get 8% of the Cannabis Regulation Fund as part of the LGDF to be used to fund crime prevention programs, training, and interdiction efforts}].

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The first state licenses for adult-use cannabis establishments are anticipated to be issued to organizations operating existing medical dispensaries, authorizing retail sales of adult-use cannabis at those locations starting January 1, 2020.

Finally, Staff will work internally and with the City Attorney's to comply with other provisions of the Act concerning employee policies and criminal record expungements, as well as developing police training and best practices.

Staff is looking for direction from the City Council on zoning changes, if they want recreational cannabis, and if a 3% local excise tax will be charged. If a tax is going to be utilized, then an Ordinance must be passed and sent to the State before the October 1st date, as mentioned earlier. (If the 3% is approved, Staff would recommend half of the revenue to the General Fund and half to the Local Road Fund).

Note: As mentioned earlier, Staff has also heard there may be a new bill in Springfield that will clean-up parts of the current law.

Jeff Coward of Acreage Holdings/Nature's Care - We're a multistate operator, we have operations in 20 states and I've seen all versions of dispensaries, cultivation's and extractions. I'm happy to be here tonight to support this initiative and conversation as it's a true passion project of mine. Going through some of Barry's points, he made a lot of good references to that very long Bill which is still little tough to digest, the harder part that he referenced that there is still another good chunk of items that aren't clear and so what I'd hope to do is address some of those concerns that you have and then hopefully come up with some other talking points that I can provide additionally so if there's follow-up we could be of assistance in supporting that process.

To start, I've heard some references to the enactment dates for the ordinance and so that is kind of the hot button item in the State right now for many cities, Morton, Naperville, El Paso making decisions to not support the adult use initiative and then I've heard some success stories such as Fox River Grove and another one locally. A lot of these conversations are happening right now due to his reference to the ordinance and the time that you have to submit to collect on the revenue. The impact would be making this decision before October 1, 2019 would make you eligible to receive the tax benefits at the local level on January 1, 2020. Some of the clarity to on what is also having to happen if these ordinances aren't in place, the dispensaries that operate currently, which are 55 in the State that are medical, do not have the ability to participate in the adult use segment which would then restrict access or somewhat push the crowds into other municipalities and cause traffic and herding problems. That the State has done to try and prevent that chaos (day 1) that you've seen maybe in other states is that they've allowed second sites to be permitted to also accommodate the adult use initiative. Again, those second sites are being held up by the mere fact that ordinances aren't in place. We're kind of chicken and eggging right now because we did have to move a little quickly to accommodate this new Bill but at the end of the day it's being done thoughtfully just like our medical program was in order to accommodate thoughtful scale, thoughtful growth, be able to analyze what's happening you have to do it in a petri dish for a while which is what I would think the medical environment for Illinois is. There's some articles out there rating different programs that exist, while ours is low and slow to grow is provided a foundation for I think what the Bill sponsors tried to implement through this Bill which is controls, measures so that when things get array we still have the ability to pull it back. Whereas you saw other states implement programs that have unlimited license potentials and they can have as many grows, as many dispensaries and it's a little harder to create a foundation for consistency and just help which this is supposed to provide for the community. We're here to answer any questions about our current operations and be as transparent as we can be. Right now we help 1700 patients in the local area that visit our shop in Rolling Meadows and every year we see more and more patients grow. We've had great support from the City and great interactions with all municipalities. We help sponsor an outreach program for the City and again we're just trying to be good partners and good neighbors. At the end of

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the day we're here to help people and that's what we do for the 1700 people and I think I even see some familiar faces out there. I think what this initiative might do is allow other people to have access because they were limited by the current program. The only have so many conditions, so many options that they can get in previously, this can allow access to help many more people in the community. I'll be happy to answer any other questions from you guys and happy to be here tonight.

Mayor Gallo – Is there anyone on the Council that has a question?

Alderman O'Brien - For the non-residents being able to purchase in the State of Illinois, they could come from Wisconsin, Iowa or any bordering states it's just that their quantity to purchase is done through driver's license verification, I'm guessing non-residency is less?

Jeff Coward of Acreage Holdings/Nature's Care – Correct.

Alderman O'Brien - Also, this might be more for Barry, is the 8% that's going to be divided across the State to help the police departments, etc. is that only going to participating municipalities? If they participate or not?

Barry Krumstok, City Manager - If you read the Act, it's for all municipalities whether they participate or not. It's mentioned multiple times and one is clearer than the other.

Alderman Sanoica - What negative consequences do you anticipate from municipalities that opt into the current State Law or opt out?

Jeff Coward of Acreage Holdings/Nature's Care – If you look at it from the State level right now it's a tax mechanism. What you'll see is some of the communities might have options to access to capital through those tax measures. I think impacts you'll see increased traffic initially on some of the shops that exist because people want to go find out. There's been a lot of talk in the media not just in our state but across the entire country. Right now this is under heavy lens and I think people will want to go out and experience it. The people that have had the restriction of access will go and experiment now and find that there's many safe alternatives to the guy around the corner.

Alderman Sanoica - Negative consequences for those that opt out?

Jeff Coward of Acreage Holdings/Nature's Care – Those that opt out, obviously aside from not collecting the tax side, you may see some of those locations, not to say ours, I've seen conversations sitting on the Alliance, current cities that have already restricted, have medical dispensaries in them, i.e. Naperville. That company is having a tough time deciding if they want to relocate that license and if they still want to be a participant in that area because it's going to be a big impact to their business. I would say, here we built a great business on a great foundation, we have no intention of going anywhere, we're pretty cemented in and we like our neighbors. But inevitably they have that option of the second site too so maybe they can resolve not being able to do it there through their second site. As far as negative consequences, I don't know yet, there's not enough on the board to make a good assessment.

Alderman Budmats - Can you speak to the location of your business being an M-1 district, do you feel that's better for business, worse for your business, being isolated from public view in a commercial setting and then what would that look like for the new license?

Jeff Coward of Acreage Holdings/Nature's Care – Access is definitely a struggle in the State of Illinois given the limited license structure. Like I said, the petri dish model works really well because we can control it but it also makes things funnel. I think at this point for us, we really like our spot because we have good neighbors

around us and we made our site work. I think inevitably though there would be much better real estate options available and that would probably create even safer environments with heavier traffic to some degree if you tuck those types of businesses in more industrial areas without heavy traffic, it kind of leads to potential crime. At the end of the day we have severe security measures that ensure that our facility is protected. I would like to take it out of that perception, I think I'd like it to be a little more stigma relieved in order to allow people to see that it's not the doom and gloom that it's always promoted to be and give them the opportunity to access it safely and easily.

Alderman Sanoica – As a follow-up to Alderman Budmats question. In your vision, how would you want to mainstream a recreational use in a more trafficked area?

Jeff Coward of Acreage Holdings/Nature's Care – I think for us, we've had the tough parking situation. If you know where we're at we're tucked right off the curve across the street from Harvest Bible and we have storage units on one side and a bunch of school buses that get stored on the other. We've had to make do and repave our lot and create some new parking opportunities to keep it safe. We've gone as far as to consider transport services where we would actually bring people to the facility assisted. Our big biggest focus right now is still accommodating the medical environment and serving those patients successfully and I think that has been more of a focus for us than worrying about how to accommodate the recreational crowd. It's definitely something as these Bills and agendas get finalized we'll have the ability to assess accurately.

Mayor Gallo - I have a two-part question. The first one focuses more on the medical side. Patient onboarding, Illinois was slow to assist patients with getting their medical marijuana cards and I know that had an impact on revenues/bottom lines for early dispensaries, now that we're a couple years into this, can you speak on the status of the dispensary and how it's operating and where you forecast it to be medically first?

Jeff Coward of Acreage Holdings/Nature's Care – I've been there since June 2017. It had operated for not quite 1 ½ years before that and it was painful. These are businesses that aren't afforded traditional luxuries of financial tools like bank accounts and access to capital markets where people are throwing money at it at that time. What we've seen now is the ability to grow and get access to some of the tools over time that we didn't have access to. We have a local chartered bank, we have insurance coverages, employee benefits and things you would think traditionally should be afforded to every entrepreneur or business person in the industry. I think that's been the bottleneck. It hasn't been that people haven't wanted access. Over time we've seen more doctors come online. Some of the hospital networks having uncertainty and how to prescribe and diagnose those type of conditions. Who's going to put their toe in the water first? I think we did it slow but we found out what we needed to fix, what we needed to do differently and I think we've executed on that very well.

Mayor Gallo - With some of the mechanisms in place from the previous gubernatorial administration with the maybe fast tracking for paperwork or documentation with HIPAA or making it easier for access for patients who are maybe on opioids rather than the 33 original conditions, you're saying that you have recognized and increased in medical patient subscription?

Jeff Coward of Acreage Holdings/Nature's Care – Absolutely, to take that even further, the opiate program that started earlier this year has seen massive acceleration to our patient count. There isn't a 60 to 90 or 120 day waiting period to get your patient card, you can now access through an online portal, submit your doctors certification and have approval the next day to visit. Those types of restrictions being lifted and those types of accesses being granted have I would say by a factor of three since February accelerated our patient enrollment so what they did was create a supply problem. Now we're seeing the reaction on the cultivation side, where we're building out our facilities, we're having the scale it was intended to be developed to accommodate the market that's coming. Now with the recent signature as of Monday permanently setting the medical bill in place

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we now have other mechanisms with other conditions, an expanded condition list that's probably one of the largest out there now as well as the medical patients aren't restricted to just one, they can move around at an instant notice. Some of those accesses being lifted and seeing that it worked this way but we don't have to track it this intensely gave comfort and now we're seeing progress.

Mayor Gallo – With an increase in mobility and then being able to now cut some of the bureaucracy and paperwork from a recreational perspective you would anticipate that number to grow proportionately, what would it do to your facility from a bottom line level having the State take a percent and then the municipality take another 3%? A total of 11% being taken right off the top from your operations.

Jeff Coward of Acreage Holdings/Nature's Care – we build the tax right into the pricing currently. For the recreation environment we'd probably pass that along. Our intention is always been to serve the people that it was intended to serve and we won't have any change in that regard. We've already impose that tax for a while, I think anything that's imposed on the recreational side will be passed along to the consumer as intended and we'll leave it up to the consumer to decide at that point. We anticipate heavy traffic flow, we anticipate restructuring our facility to have more point of sale stations and support center areas. At the end of the day it's going to be medical patient first and they're going to have preferences, skip the lines, preorder system that won't be available to anyone else. We'll make sure we maintain the level of service that we have for our current patients that we serve. At the end of day it will still be a mechanism to support the State in generating additional revenue.

Mayor Gallo - So if we, as a City, were to go ahead and make a mandate that we do impose the maximum 3% tax, we would not disrupt or hinder the business in any capacity from revenues perspective rather than starting out at 1.25%?

Jeff Coward of Acreage Holdings/Nature's Care – No way.

Alderman Bisesi - I have a question for Chief Nowacki. I was wondering about your perspective of the impact on this topic.

John Nowacki, Police Chief - As the Chief of Police my position was opposing recreational marijuana. The reality is that it's going to be legal as of January 1 so we're going to have to deal with that. Possession and usage in Rolling Meadows whether restrict the sales it's going to be here it would be no different if we prohibited sales of alcohol and our neighbor across the street allowed it, it's going to be prevalent. Obviously there some concerns that we have for enforcement, we do believe that driving under the influence is probably going to be increased. I do believe that there will be more use of minors with it. All I can say is Nature's Care, they do operate a medical dispensary and we have no issues with them, they run a very outstanding operation and they are part of our outreach partners. If they were allowed to sell recreational I don't believe that would change at all because they are very responsive, very committed to security and safety of their facility. There's a lot of unknowns. I have been through some training and I have been reading the law, I think it's 650 pages long so it's very involved. I think there's definitely going to be an impact on policing overall whether we're allowed to sell recreational in the City of Rolling Meadows are not. It's going to be here and we're going to have to address it. We have already started training some of our officers on it, more on impaired driving and detecting driving under the influence of cannabis and so forth. I think we'll be prepared for it but we'll definitely have some challenges as we move forward.

Alderman Budmats - If you had your preference, if there was an area of Rolling Meadows where this would be located, where would you prefer to see it or not to see it?

John Nowacki, Police Chief - I do prefer the location they're at now because I do believe it should not be where there's a lot of children, it is sort of tucked away and it's not next to residential area so if there is any issues regarding traffic and so forth it is sort of isolated. I believe that if recreational was approved it would be kept out of the residential and commercial areas because I do see there would probably be significant traffic regarding those issues.

Mayor Gallo – Further questions? Seeing no further questions, we'll go ahead and talk about what Staff's recommendations or what the requests are. We're looking for excising a 3% tax for this. I would like to pull back a little bit and see where other cities who are adopting this where they come in at from a tax perspective. I'm curious to know what type of revenue forecasts are going to be shared as people start buying into this more often as the months progress but I think this is something we do have to visit and make sure we have it in alignment with what we want to charge as a City back to the dispensaries or whatever they're called when they become legal probably still a dispensary. Manager Krumstok, do you have any suggestions on that for us?

Barry Krumstok, City Manager - The ones that have approved it are using the 3%, we can always start with 1.5% and then see how that works we can always increase. As you heard, it's going to be passed to the customer. It's really the Council's comfort level. The ones that are passing and the majority of them are outside of our regular area are doing the full 3%.

Alderman D'Astice – I read a little bit about this but not a lot, there are 50 or 55 medical dispensaries in the State right now, they all get first shot at doing recreational?

Barry Krumstok, City Manager - That is correct.

Alderman D'Astice - Plus they can get a second location so that would be 110 throughout the State. Once that is done, are more available?

Jeff Coward of Acreage Holdings/Nature's Care – Currently 55 their operational that will be granted option a second site to bring to 110. The social equity aspects of the bill should roll that up to about 180 I think by mid next year. I think the intention is to do another evaluation on demand which would allow it up to 500 for the whole State by 2022.

Mayor Gallo - As far as growth facilities, is there enough growth in place to accommodate those projections for the actual dispensaries?

Jeff Coward of Acreage Holdings/Nature's Care – Right now there's 21 active with the intention to allow up to another 29 cultivation and 100 craft grows. The craft grows will be implemented first through social equity vehicles and those can go up 100 with another 29 cultivation. Today, we're kind of hitting the ramp up period but they're maintaining supply right now and everybody's building. So I would say yes for the foreseeable time demand should be met.

Barry Krumstok, City Manager – Staff will work with the City Attorney to prepare an ordinance, we'll do under the 3% for Council's comfort level which could always be amended. It will give us more time to collect some of those numbers. Our recommendation is for the full 3%.

Mayor Gallo – If there's no impact to business operations we could just go with the mandated 3%.

Alderman D'Astice – I don't think it's going to have an impact.

Alderman Budmats - Is it a possibility if we had a lower tax (2%) that we might attract another facility to come into Rolling Meadows?

Barry Krumstok, City Manager - Anything's possible.

Mayor Gallo - It depends on what the shops would do if they would pad a mandatory 3% to their price margin or if they were to just go ahead and price based on what our municipal tax is and then they can offer that reduction to the consumer by saying you get better rates in Rolling Meadows and then we might draw more purchasing and then we might also attract another distributor.

Alderman O'Brien - Would that be part of the ordinance too, that we would set the limit of dispensaries?

Barry Krumstok, City Manager - That is correct, some municipalities are limiting the number of dispensaries and not just using the zoning code because it is a permitted use. There are certain municipalities that are stating how many can be in a municipality, Buffalo Grove is one of those that are looking at that. Again, will create the ordinance...

Mayor Gallo - I think you should work closely with Nature's Care because they are in our City and our Chamber of Commerce to determine if there should be a cap dispensaries.

Barry Krumstok, City Manager - Nature's Care has been really easy to work with and they're a very good group as Chief Nowacki stated. Most of you don't know that they're there because it's so seamless with them. Their remodeling and renovation about was all for parking. Before the renovation the parking was all in front and now there's a drive through with parking in the back. They've been getting ready and accommodating for this. We do appreciate them coming out here tonight with the whole family. We hope when they look for their second location Rolling Meadows is a great place.

2) Backyard Chickens Discussion – Part II (Alderman Sanoica)

Alderman Sanoica - Within the packet I have provided a couple of different attachments. You'll see that on page 6 there's a background section with all of the different concerns that we discussed at the Committee-of-the-Whole meeting last month on July 16. Then you'll see on the left is the summarized concerns that we spoke about and then on the right is the ordinance responses. There were also a couple of other concerns that had come up between the Committee-of-the-Whole and the drafting of these supporting materials on Thursday which is on a separate box underneath on page 7 and 8. I'd like us to take a look at the ordinance itself on exhibit A, page 10. One of the main differences here is that we have a license over on page 11, actually I'm just going to stick with the background because that's easier and it's more summarized.

The first concern that we had was chicken owners should be registered to measure the success of the program and identify households that may need additional assistance so we included that in the updated ordinance and that is item (l), so it does require that chicken owners apply for a license. The second concern is that the coop location should be consistent with requirements for sheds, within the environment chapter of our code there is actually some regulations on pet rabbits that are kept outside and so not only did we keep the lot line of 10 feet consistent with the sheds but also consistent with pet rabbits that we would keep in their structures. So you'll see that item (f) prohibits any coops from being in the front yard or street facing lot and I had some Alderman that reached out and wanted an example of that so if you scroll down to figure 1 we have a house that has a side lot, the yellow lines are showing 50 feet and then the red lines are showing that 10 feet. You can see the backyard for this particular house would not have enough space but if you look at the side lot on the left there's plenty of space in order to keep a coop there that's not street facing. Additional concerns were about some residents

thought that coops would be unsightly and ugly and rather than putting this again in the ordinance you can see the various enumerated nuisances that already exist in the code. We had continued concerns about risk of disease which is salmonella, first of all item that requires that all of the spaces remain very sanitary but also we could utilize the licensing process in order to either educate or provide some sort of release that says you understand that you have to take care of your chickens and there's an example licensing process towards the end that shows what the process could be. Talking with Staff they would have to have direction from us before they can decide if that's something that we would want to do and provide additional details. At the very end in that exhibit D, this would be what a license process could look like.

I've also gotten a lot of feedback since this was published on Friday and part of the feedback was the requirement of having veterinarian care for all of the flock members and I talked with a vet as well, he said he had no problem being quoted here in today's meeting and he said that it's overkill to have your chickens be looked at every single year because it would be like \$100 a visit per chicken so \$400 a year is just costs prohibited more importantly he said that there really aren't any diseases that chickens can catch that you'd have to vaccinate them for that would transfer to humans. There's risk of salmonella but he says that risk is no more than reptiles and since we don't have an ordinance to have a reptile here in the City of Rolling Meadows then that would be inconsistent to require that type of a regulation.

There was a concern about perhaps having a sunset clause on this or a two-year trial period and we can discuss that today if you'd like to do that. Currently the licenses are limited to 25 households which is about less than .4% of all properties within the City of Rolling Meadows so it's a very small sample to begin with. We could decrease that further if we wanted to have the spirit of the trial but we can also then have that sunset clause that says that we'll look back on this in three years, I didn't include that but we can discuss that today if you'd like that included for the final version. Most of these have also been covered but if you have any additional questions let me know otherwise I'd like to open it up to discussion.

Mayor Gallo – With that, is there any conversation or discussion?

Alderman Bisesi - I just wanted to go through some of the things so we have on the record. I've had some residents asking what remedy they would have if there's a smell. People have complained that there would be a smell coming from the chicken coop. I understand if it's cleaned regularly it would be no different than cleaning up after your dog. Do people get cited for the smell?

Mayor Gallo - Do people get cited for odors from dogs/pets?

Alderman Sanoica - It's in our Code, under nuisances. If you have any situation that threatens public health or in any way causes a nuisance. You could cite somebody for the smell of their dog poop if you wanted to.

Alderman Bisesi - So it's the same as there has to be a complaint?

Alderman Sanoica – Yes, it's within the nuisance.

Alderman Bisesi - The disposal of the chickens, if they were to pass or no longer laying eggs. At some point I want to discuss how far from the lot lines and the square footage of the lots they could be on.

Mayor Gallo – Now is the time.

Alderman Bisesi - In looking at this, I saw the 8000 sq. ft., that is not necessarily 8,000 usable square feet?

Alderman Sanoica – Correct.

Alderman Bisesi - I think we should define it is usable square feet. In some of the neighborhoods you have the same size lot that you have Ward 3 and I know a lot of the houses are smaller than the houses you'll find in Ward 1, so if you have a lot that complies in Ward 3 (8000 sq. ft.) you have room to do this but if you have a house that's taking up a large portion of that 8000 sq. ft. you don't have as much usable space.

Alderman O'Brien - It's still applicable by the lot lines regardless if your house takes up 6000 sq. feet, your coop would still have to be 10 feet off of the lot line regardless of usable space or not. I had that question too and I was one of the Aldermen that reached out to Ms. Sanoica about the side yard because that was some questions my residents had in Ward 3. The way that I looked at it and the diagram helped. Regardless of usable space it's still 10 feet off the lot line and regardless if the resident chooses not to have a backyard because they want to coop there and they have that usable space I feel that we'd be overstepping our boundary telling them no you can only use your backyard because it's considered usable space. I think the lot lineage would account for that unless I'm misunderstanding.

Alderman Sanoica – So if you're worried about the space for the chickens, we have within the ordinance itself square footage for the chickens. If you look at item D) an outdoor area a minimum of 6 sq. ft. per chicken will be required and a maximum of 100 total square feet will be permitted for both the covered enclosure/structure and outdoor area. If the house takes up all the 8000 feet, you don't fulfill this requirement of the ordinance.

Alderman D'Astice - On that topic, I don't know where 8000 sq. ft. came from, there's 43,500 sq. feet to an acre, I was thinking ¼ of an acre or 1/5 of an acre would be more appropriate. 1/5 of an acre is 8712 sq. feet.

Alderman Sanoica – Alderman D'Astice, we discussed this at the last Committee-of-the-Whole meeting.

Alderman D'Astice - I haven't changed my mind since then.

Alderman Sanoica – Okay. But is your question where did the 8000 come from?

Alderman D'Astice – No, I don't have a question, I have a statement and I think it should be 8712, it should be 1/5 of an acre.

Alderman Sanoica – Okay.

Mayor Gallo - I can recommend that the City of Rolling Meadows mandates that there's a minimum of square footage of 9000 sq. feet for a home. If you want to round up to the minimum requirements of what the City calls for to have a house on the property you can do that just for ease of simplicity otherwise you can maintain the square footage called out in the drafted ordinance.

Alderman Sanoica – Alderman D'Astice, is 9000 acceptable?

Alderman D'Astice – Sure, absolutely.

Mayor Gallo – Is this acquiesce able at this point? Just hold the number of 9000?

Alderman Sanoica – Yes, if 9000 is used for standard lot in the City of Rolling Meadows in order to build a house and this allows the residents of Rolling Meadows to participate in this program if they so choose and to make the investment in this program if they so choose then, 9000 is a perfectly acceptable number.

Alderman Bisesi - The other concern was about neighbors with dogs in particular. I'll speak for myself when I did have dogs, if there were chickens next-door those dogs would be hysterical all the time, they'd want to jump the fence and have some chicken. There would be barking, a lot of barking more than I think than just seeing squirrels or people walking by. I remember birds in particular and the chickens if they're active could do that. With that, I wonder if 10 feet is enough distance from the fence?

Alderman Sanoica – Alderman Bisesi, we already have an ordinance that allows rabbits to also be 10 feet from the lot lines. Barry can probably answer this if we had any complaints about dogs barking towards rabbits.

Barry Krumstok, City Manager - Not that I'm aware of. If you ask me how many rabbits, I only know of one location where they have rabbits.

Alderman Bisesi - Rabbits are different than chickens.

Mayor Gallo - Any further questions before I open up the floor?

Alderman D'Astice - I have a few more things. Item B says the maximum of 6 chickens and a minimum of 2, and I thought I had read that it should be a minimum of 3 in case one dies you need at least 2 to have a flock. My question is with regard to standardized sizes of a coop and around, I read information that said you need 8-10 feet per square feet for outdoor enclosures. If somebody is going to build a coop for 2 chickens, how big is that coop going to be? And if they build it for 3? 4? 5? 6? I'm suggesting that we come up with a standardized size for the coop so that when we inspect it it's easy. If it's 6 feet per chicken and you have 6 chickens that's 36 sq. ft., it's 6 x 6, it's easy. As opposed to 2 x 6 and this one 3 x 6 in this is 4.5 x 3.5, I just think standardizing it makes it easier to inspect, to view, to enforce. If somebody starts off with 3 and decide they want to go to 6 they have the ability to do so. I just throw that on the table as a standardized size of a coop and a standardized size of a run so that everybody knows what we're getting into otherwise we'll have all different sizes. Is it a chain-link fence that goes around this coop or is it chicken wire fence? I just think we need to be a little more specific so that when we go to inspect we know what we're inspecting and it's not just somebody's subjective opinion.

Alderman Budmats – If I could speak to this, are could just start figuring out what size people dollhouses can be...

Alderman D'Astice - These are chickens, these are farm animals.

Alderman Budmats - I understand what you're talking going about but I guess what I'm saying is we don't talk about what size peoples dog house should be, we don't tell them what size their treehouse should be and we're talking about inspecting it . It seems that if we're going to overregulate to that degree that we're really overstepping our bounds.

Alderman D'Astice - It says in here you should have 6 square feet per chicken and a maximum of 100 square feet will be permitted. I'm just saying call out a number so that it's standardized. It's already in here.

Alderman Budmats - You're talking about the size of coops, correct?

Alderman D'Astice - And the chicken run. It's already in here. I'm just saying standardize it so that there would be no question about if it's legal or not.

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Mayor Gallo - Much like dogs, chickens do come in different breeds and different sizes. I do think that if we keep this where we have a maximum 100 square feet, I think that's sufficient to gauge the size of the coop given the breed of the chicken. Larger chicken maybe larger coop doesn't exceed 100 square feet, smaller heirloom chickens, smaller coop doesn't exceed the maximum square footage. I think we should just leave it as it's called in your draft. Further questions or comments?

Alderman D'Astice - I am concerned and I didn't think about this until couple residents brought it up to me. What about the commercial aspect of this? The example they gave me was, if somebody has 6 chickens and they lay 5 eggs a day, that's almost 3 dozen eggs a week and what if this household can no longer consume that many eggs and they start to sell them. I think there needs to be a clause in here that if any chicken farmer in the City starts to sell eggs they can have their license.

Mayor Gallo - I do believe the State would interject if there was poultry for sale especially in an individual residential lot.

Alderman Sanoica - I appreciate you bringing that topic up, as far as the commercialization of eggs go, the State of Illinois Department of Agriculture does require an egg license if you want to sell eggs that are separate from the location of the flock. If a neighbor wants to sell to their next-door neighbor a couple of extra eggs you do not require a license for that. I would not want to spend Rolling Meadows resources enforcing that either if we were to create our own license. However, that said, if we had someone that wanted to sell at the City Market their own eggs they would go through the process of getting in Illinois State license to sell those eggs at the City Market even if it's only 6 eggs.

Alderman D'Astice - What if the individual, since we're hypothesizing, what if they just did a Facebook post and decided to sell eggs on Facebook?

Mayor Gallo - The City of Rolling Meadows Community Development Department would send them a letter and let them know that they're required to have a small business license operating a business out of their home and I'm sure the State would be on them as well, if we wanted to go down a hypothetical road.

Alderman D'Astice - Thank you for that but I think we should have something in here that prohibits the sale of eggs.

Mayor Gallo - Without a license, right?

Alderman D'Astice - Right, without a license. Now we're getting into another realm, we're going to say it's okay to have 6 chickens, now they can start selling, they form a business then this is no longer for individual consumption now it's a business. It's a business their creating in their backyard. I don't think that was the intent was from the very beginning. It was sold as fresh eggs and not commercial.

Mayor Gallo - I don't know that anyone was taking it there, not to point fingers, other than you towards this commercialization of a backyard chicken coop, but much like any other home business they usually start out as a hobby and evolve if that's the direction they go but I think we can could cross that bridge when we got there if it actually gets there. I do know that we have beehives and honey, honey is distributed regularly both for free and for sale so it could possibly happen. It's important to examine but I don't think we should belabor it at this point at a pilot.

Alderman D'Astice - Just bringing up my concern and concerns that were expressed to me.

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Alderman Bisesi - I was going to use a different example of people's vegetable gardens. You usually have more than you can consume.

Mayor Gallo – True. Further comments or questions?

Alderman O'Brien - I had the exact same concern as Mr. D'Astice. I brought it up with Lara and she provided me some information from the State and I read through it. I felt comfortable after going through that. John, I had the same exact concern.

Alderman D'Astice - I didn't think about until somebody brought it up to me.

Mayor Gallo - If there aren't any more comments or questions at this time, we do have some signatures on the sign-in sheet and before I open up the floor...

Alderman Sanoica - I'm sorry Mr. Mayor I have two more things to say. I did receive some emails from supporters of backyard chickens. In addition to stating that requiring their chickens to have veterinary care every year as being cost prohibitive, they also request that the license fee be decreased if they're also paying for a building permit in addition to all the other investments that were there. A request would also be for the final to not have a licensing fee. Does Staff have any strong feelings about that?

Barry Krumstok, City Manager - There is an investment per the draft, the license is only \$25 because of tracking. If you look at what we do for bees its \$10 but it's part of our tracking and making sure everything is followed. There is administrative costs. The first year you might be paying for the building permit but the second year we still do have administrative fees. We're talking about a nominal fee to help with administrative costs.

Alderman Bisesi - Is there anything in the ordinance about the disposal of chickens? I'm sure it's in there I just haven't seen it.

Alderman Sanoica - We do have item J which says no slaughtering. If you want to eat your chicken you can take it somewhere else to have it slaughtered. If you want to slaughter, that requires another license by the Department of Agriculture.

Barry Krumstok, City Manager – Last time Lauren mentioned that there's a farm in Kentucky that would take any old chickens and all roosters. This would be another way of disposing of a chicken or rooster.

Mayor Gallo – I'm going to do one more pass around the table. Any comments? Okay, just before I open this up I will remind you that the floor will be open to the audience for 20 minutes to address the City Council on matters that are on the agenda for City Council and Staff to hear. We ask that 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.

The first name on the sign in sheet is Peggy Monson.

Peggy Monson, Meadow Drive, Rolling Meadows - Good evening, I am here as a resident of Rolling Meadows since 1963 and I am opposed to changing the ordinance to allow backyard chickens. I have sent all of the Aldermen and the Mayor an email stating my concerns and opinion on backyard chickens. I will not restate or rehash them again. Instead I want to voice my suggestion on a way to handle the decision that is before you. The suggestion is simple, allow the residents of Rolling Meadows the opportunity to make the decision. On June 18, 2019 at the Committee-of-the-Whole meeting Alderman D'Astice mentioned that a referendum is going to

be on the March 2020 primary ballot. He also stated that there would be no additional fee to the City to add a second referendum which City Manager Barry Krumstok confirmed. If the City moves forward with bypassing the residents to change the ordinance to allow backyard chickens it would be a direct breach of both the Aldermen and the Mayor's promise to change the way the democracy in the City has been handled in the past. I'm asking this committee and the City Council to put this aside for now. I'm kindly asking you to allow the registered voters of Rolling Meadows the opportunity to help make this decision, please do not make it for us. I ask you how many residents were unaware of the construction of the firehouses, the plans for the Dominick's site, the termination of vehicle stickers and the start of the natural gas tax. The residents of Rolling Meadows are starting to feel as if we have no voice in these decisions that are being made by the Council. Ultimately, we feel that the democracy has been taken out of the small town we call home. By letting this one issue go to referendum it would show the residents of Rolling Meadows that you are in fact willing to listen to the community and not just a select few. If the referendum fails then the conversation is over. If it passes than any homeowner with a backyard should be allowed to have them if they want. An ordinance should only be rewritten if it is applied to all of us. Could the City face a hardship even if there is an appearance of discrimination in issuing the 25 chicken permits on a first come first serve basis? I guess I'm having a hard time understanding why you would rewrite an ordinance that has been on the books for decades to accommodate 25. I've been around livestock my entire life, my grandmother received a chicken coop as a wedding present from her father almost 90 years ago which I might add is still there and is being used today by her youngest of 38 grandchildren. She would always say many hands make light work and if you don't do it right the first time don't bother doing it at all. I'm asking you to please consider doing this the right way, let the residents decide if this is something we all want for Rolling Meadows, the community we are all proud to call home. Thank you for your time.

Scot Milford, Jay Lane, Rolling Meadows - I do want to go through some comments that I have but first particularly listening to this, I know there are people here who are wanting the chickens and I'm on the other side of it but my intent is to be very respectful to you so please take my comments in that way even if I don't say it the right way. A bit of background, my wife is an original second generational resident who's lived in Rolling Meadows for over 60 years and I've lived here for 42. It's a great community, we really love it, it's welcoming, it's a small town feel, the vast majority of folks are very friendly and respectful to people. It's a great place to live and raise a family. A key to Rolling Meadows longtime success has been that it was so well thought out and carefully planned before it was built. Kimball Hill carefully and thoughtfully designed the community with a holistic view and an eye to the future. Significant to this discussion and looking to the future dissimilar land uses were separated, commercial, retail, manufacturing uses were separated for residential areas and no farming retained. This is a key major concept that's made Rolling Meadows of wonderful place to live, raise a family, work for many decades across generations. This concept is also central to how the City has had significant business enterprises while still providing a wonderful hometown view and hometown feel. When you turn onto your street it's strictly residential which makes it feel like home. I have a number of concerns about the initiative. First, disease and I did a little research on this, I found that CDC has determined that this is enough of a problem that they've been tracking since 1990 strictly salmonella cases specifically to back yard chickens. I want to emphasize that the information that I'm going to mention for the next couple of minutes is strictly salmonella cases were CDC has determined that contact with backyard poultry is the likely source and this is across the country, there's like 47 states that has reported this. The big thing that I got from looking at their reporting is that the cases are dramatically increasing. If you compare the reporting for the period of 1990 to 2014, a 24 year period, versus the first half of this year. Over 24 years there were an average of 109 cases per year compared to 648 cases just the first half of this year, that's almost a 12 times increase. Deaths went from an average of 1 in 5 years which is extremely rare to in the last six months 5 deaths. Again, this is across the country. So that's a 50 times increase. Again, this is strictly counting cases CDC determined is likely caused by backyard chickens. My point here is the increase, the increased rate, it's something I think we need to be aware of and be concerned with when we're starting something like this. Salmonella is serious. Again, according to CDC reporting about 1/3 of the cases require hospitalization, about 25% are children under five and some

people actually die from it. There are also additional risks that the Illinois Department of Public Health has mentioned. Another concern is predators. The Citizens for Chickens have stated that there are already some predators, which is true but that doesn't mean that there aren't going to be more when you have more of a food source it's likely to come and I do have a couple sources that agree with that. There's already been a mention of the City services which is going to come up with that. In summary, in my mind here is what it comes down to, what is the hardship for the folks if it isn't approved, the only thing that I've heard is that they want organic eggs which you can get anywhere. On the other hand, there are numbers of serious issues, concerning issues that the rest of us will have to bear if this is approved. I appreciate your time.

Andrew Rucker, Meadow Drive, Rolling Meadows – I moved into Rolling Meadows about 10 years ago. When I moved in, there were a lot of trees in my yard and I cut a lot of those trees down and my neighbors got upset and now put a six foot privacy fence up. I went through the permit process, got all the permits and had it put up. I started a garden, I'm not farming, I have a garden. A little background to me so you understand a little bit more of why I said that, I have a degree in animal science I went to Morehead State University in Morehead Kentucky. I've been involved with the chicken group since it started its first meeting. We've had meetings at the library and asked everybody to come out but we've never seen anybody objecting to chickens until tonight. Even at the last meeting here you didn't have anybody come up talking against chickens. I understand people don't like change, it's hard. Change isn't always bad though, this isn't a bad thing. We talk about disease, people don't have to deal with disease after the fence, and the people that will be dealing with any disease that will happen will be the ones that own the chickens. Washing your hands is a key, just like owning a snake or turtle or anything else. We stayed on the Internet and talked to everybody over and over again. It's more about trusting your neighbor here, we want some pets it's not just about the eggs. I want my kid to see an egg, I went to see him walk out and have that look of joy that I've seen in my own family. To pick it up bring it inside and eat it, the circle of life. You're talking about starting a program and only given us two years with them, you're telling people to buy a pet that we love and we take care of and that we take to the vet. It's a huge investment. They're 5 pounds birds not velociraptors. We're just asking to be good neighbors. If the birds were to smell, you don't think we're going to clean our cages. A 50 pound dog produces way more waste than 5 pound birds, just look at the sizes. We're not asking for something crazy, we don't mind that you're going to put on all kinds of restrictions but you can't legislate common sense or being a good neighbor. I don't care how many rules you put out there. Every farm has a dog and they don't go crazy when they see the chickens, they get used to them just like your neighbor gets used to you. You have to be a good neighbor first that's what we all need to be and if you can't expect us to be a good neighbor you can't legislate it. There's chickens already in Rolling Meadows, people are doing it, it's not right, they're not legal but you don't hear any complaints about it. We just want to be able to have a pet. I have a 6 foot privacy fence, why can't my chickens go up to the fence and go in my garden. I handed tomatoes over my fence just yesterday and I'm going to hand the eggs over the fence if I get them. That's what I have to say. You can be a good neighbor, this could happen. I know everybody is scared but you don't have to be. Thank you.

Lauren Gallucci, Oak Lane, Rolling Meadows – Thank you. I didn't really have anything to say when I walked in but I signed in just because I assumed I would probably have some answers to provide by the end of the meeting. I wanted to start with the minutes from the May 2018 meeting, Alderman D'Astice said I guess I have some reservation with what's written and my questions are several, how did we determine 8000 square feet and not 10,000 square feet as the minimum? And then we go into covered enclosure's, structures with attached to some kind of building, building codes, doesn't state anything about codes here, lot lines, setbacks, it's is going to be kept clean and maintained with little or no accumulation of waste, how do you decide what's a little, what's a lot, what did we decide \$25, how did we determine 25 residential lots. These are the same questions from last year but you guys passed it to the lawyer whose name I don't know, I'm sorry, or don't know how to pronounce it, and he answered that question on May 8, 2018. He said, *relative to the square feet, there's two residential districts in the City of Rolling Meadows. The R-1 has a minimum of 10,000 square feet. There's*

an R-2 which has a minimum of 8400 square feet. So the idea was to try, and there are somewhat variances, to try to open it up to lots that actually have less than 10,000 square feet. Alderman D' Astice said, *So let me stop you. Would it make more sense to say it's an R-2 so this way we all know, because if it's an R-2 it should have 8400 and this is 8, okay, so that will work. Okay, I gotcha.* So there's the conversation from last year where the 8000 was determined just for some background it was based on the R-2 lots versus the R-1. So I just wanted to answer that question. I thought the eye to the future comment was really interesting and I wrote it down big on my hand because I think that the future of homebuyers are young families and professionals who are interested in sustainability. I think we truly as a City are interested in having an eye to the future we need to consider what that future is and I think that future is going to leave us right behind when we can't get forward with the discussion like this, this is at least the fifth meeting. There may have been 2 the first go around but I know this has been at least the fifth meeting. I do think that the eye to the future is important because I think that the future of homeowners are people who are going to want these kinds of programs and ideas floating around. Young people want to talk about sustainability, as Andy said I'm interested in my children's seeing how chickens are raised, how they lay eggs and where their food comes from. As far as salmonella, yes it's a risk, .06% of all households holding backyard chickens have had salmonella. I'm not saying it's not a risk, I'm saying it's not statistically important or notable risk. I couldn't find exact information on pet reptiles but they estimate 73,000 cases of salmonella according to a Iowa State study per year on reptiles and there are 748 from chickens this year. 748 compared to the 73,000 that reptiles get every single year as pets and nobody is advocating to get rid of pet reptiles. The risk is lower than we are perceiving it to be. Other towns have not had an increase in predators. That's my number one source of what we looked for, I don't want increased predators in my yard either and I have small animals and I don't want them to get eaten. That was the first thing we asked other towns was have you had an increase in predators presence, no, six no's across the board. I don't know how else to research that other than to ask people have you had this problem and they haven't. I'm backtracking to salmonella, cases are increasing because the households holding chickens are increasing. The number of deaths in car crashes will increase when the highway gets built next to your house. It's just a direct correlation between if you have this here you're going to have an increase in that result. It's not necessarily as a proportion of the population people holding chickens that more of them are getting salmonella, it's just that more people are holding chickens therefore there are going to be more cases of salmonella. I don't want salmonella and I don't want anyone else to get salmonella and I'm not downplaying that there is a risk of salmonella. All 748 cases that the CDC are reporting are people who have directly handled chickens. You don't have to handle my chickens and I will wash my hands afterwards and that's what the CDC recommends to mitigate that. Thank you very much.

Mayor Gallo - Any further comments from the Council?

Alderman Sanoica - I have a comment with regard to the speaker's concerns about potential disease. Within the packet and anyone can access this on the City of Rolling Meadows website. We have that as a concern from previous discussions and as a result of creating these precautions, for item H) you have to have the coop cleaned but also there is a requirement to have every coop registered with the Illinois Department of Agriculture in item M. This is a free registration, it's a premise registration and it's a method for the Illinois Department of Agriculture to be able to communicate to each of these homes, as small as they may be and as low as the risk may be, they are still in that network and can communicate with the Department of Health and the Illinois Department of Agriculture to monitor any potential outbreaks. Usually this is referring to the chickens themselves, not the people because people don't get the avian bird flu that these chickens would suffer for in other countries not saying that that's happening here, it's not happening here. That would be the additional precaution that we're putting into this ordinance with regards to salmonella, as what Ms. Galucci had just stated, this is something that can be mitigated through handwashing.

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I have one more comment to the first person that spoke, Ms. Peggy I believe, with regards to whether or not this ordinance is representing the people of Rolling Meadows. I was elected to the City of Rolling Meadows from people who expressed that they really wanted this, people who were interested in moving here, people who live here and so when it comes to speaking for the people, I am fulfilling a campaign promise by putting this before the Council. That's all I have to say.

Mayor Gallo – Anything further?

Alderman O'Brien - Quick follow-up. I know based on Mr. D'Astice's comment we talked about the 9000, rounding up. I couldn't answer myself if I'm in R-1 or R-2 part of town but that would if we did go to 9000 than that could eliminate those ones that are in R-2 8400 square feet lot size, correct? I know that we agreed that rounding up wouldn't impact but assuming the City is a 50/50 split between R-1 and R-2 that would eliminate half of the residents having this potential? If we make it 9000 versus 8000?

Mayor Gallo - If that's the case, if this were to move forward to an ordinance, we wouldn't want to leave anybody out, I think we would go back to the original decision back in May 2018.

Alderman Sanoica – I agree. Earlier today the discussion was if there was no impact then there's no problem increasing to 9000. If there is an impact then we shall not increase to 9000.

Alderman D'Astice - Then should we increase to 8400, if that's the size that's required?

Mayor Gallo - If that would assist you in feeling better, yes. I'm not a voting member but I would defer to the Council, would you be okay with that Alderman Sanoica?

Alderman Sanoica - The goal is to have every residential property that's interested in this including single-family homes that are rented to participate in this program. If there are some that will be excluded as a result of increasing to 8400 then I'm not okay with that but I will defer to Staff if they could look into that.

Barry Krumstok, City Manager - We will look into that but I can tell you that 8000 still restricts certain people from it.

Mayor Gallo - I would say much like anything when there are parameters set and they want to exceed them or fall beneath them that we would respectively ask them to come before us for a variance and we can handle those on a case-by-case basis.

Barry Krumstok, City Manager - We could put that into the ordinance too.

3) Emergency Operations/Management Training for Elected Officials

Terry Valentino, Fire Chief - FEMA requires that all local, tribal, and State authorities, are trained in emergency management, develop and maintain a local emergency operations plan, appoint a director of emergency management and adopt the National Incident Management System (NIMS).

To meet this need as local elected official tonight's overview will meet some but not all of these requirement. To add to the training validity and accountability of necessary training, you are required to complete two (2) on-line FEMA ICS Courses – IS 100 and IS 908. These intuitive, concise, and informative trainings should take no more than 1 hour.

In order for the City to meet the needs of the residents and businesses in Rolling Meadows should a disaster disrupt the day to day operations for an extended period of time, Staff may activate the Emergency Operations Center (EOC). Although the Council themselves would not be in the Center, their legitimate authority to enact all the Emergency Management principles allows the local Emergency Management Team to operate to assess, control, and continue services and ultimately restore order to the chaos created from a disaster.

The City of Rolling Meadows Emergency Operations Plan can be found on our website <https://www.cityrm.org/DocumentCenter/View/2106/Emergency-Operations-Plan?bidId=>. This plan was developed for each City of Rolling Meadows department and local special districts with emergency services responsibilities within the City. The content is based upon guidance approved and provided by the Illinois Emergency Management Agency and the Federal Emergency Management Agency. The intent of the Emergency Operations Plan is to provide direction on how to respond to an emergency from the onset, through an extended response and into the recovery process.

Alert and emergency notifications are made to the public through 911, reverse 911, Community alerting via the NWCDS Ever-Bridge paging (citizen sign up for on line), and all City run social media outlets.

Per State and Federal requirements, the City Council has the need to be trained annually to an awareness level of EOC Operations and their role should disaster strike.

We urge all our residents and business partners in the City to spend time with family, workers, and staff to visit **READY.GOV** to enhance their individual knowledge base regarding emergency management.

Mayor Gallo – I know training is continuous and that police, fire, public works our running their men through training courses offered everywhere throughout the country but is this something that new recruits that are going to school conventionally and traditionally trained and educated in fire science, law enforcement or criminal justice starting to see the same type of curriculum in the schools so that when they graduate and come on board that their already familiar/acclimated with some of the verbiage or some of the processes?

Terry Valentine, Fire Chief - I could just speak for Harper College they actually have a curriculum now, a two-year degree, in emergency management. Everybody likes the fire side and the police side of it but I do understand that part of their curriculum in fire and police track of that is a couple of classes in emergency management. When our firefighters come on the job out of the Academy we require them to take a couple of the online classes and they get right into it with our simple tabletops. What we're thinking about today is a more strategic aspect of emergency management not the boots on the grounds kind of things.

4) FY 2020 – FY 2024 Capital Improvement Program (CIP)

Melissa Gallagher, Finance Director - The Capital Improvement Program (CIP) was distributed as a Staff Report in the August 13th City Council packet and may be found online at <https://www.cityrm.org/DocumentCenter/View/2853/CIP-FY-2020-TO-FY-2024>.

This is the seventh year the Capital Improvement Plan was directly reviewed by the Ad-Hoc Capital Improvements Committee and incorporates many of their recommendations. The Ad-Hoc Capital Improvements Committee members were resident members Bob Losh, Steve Holish, and Jack Eleftheriou; Alderman John D'Astice; Alderman Rob Williams (until the May meeting); Public Works Director Fred Vogt (retired in May 2019); Public Works Director Rob Horne. The City appreciates the Committee members' time and effort during the many months of review.

The CIP is also reviewed by the City Manager, Finance Director, Public Works Director, Police Chief, Fire Chief, City Staff and the City Council. Note: not all projects developed in the CIP will be included in the proposed fiscal budget. By revising the CIP and adding an additional year at the time of each annual review, the procedure is consistent with the dynamic nature of City operations as no fixed plan can provide for the needs of a changing of a City, the economy or fiscal situations.

A Capital Improvement Program (CIP) is a financial planning tool designed to offer the City options for examining specific projects, reviewing funding sources and selecting capital improvement projects based on available funding and needs of the City. The CIP is only a snapshot and is not intended to be a budget but used as a guide for longer-term planning and decision making. Not every request from the CIP or the initial budget entry makes it into the FY 2020 Proposed Budget presented to the City Council. The City Council has final approval of all projects, as they come up by resolutions or ordinances. The CIP offers a “five-year look” at the following funds: 911 Fund, Utilities Fund, Vehicle & Equipment Replacement Fund, Building & Land Fund, State Motor Fuel Tax Fund and the Local Roads Fund. Along with the five-year financial forecast is a detailed project description with a photo snapshot on the project’s page.

Keep in mind that one of the focal points is the FY 2020 proposed capital projects. The CIP is only a snapshot of what we know at this point in time and this is also true of the financials. Keep in mind, grant-funded projects are a key variable since the City may have a time horizon of a year or more to receive funds back from the feds, state or county.

At this point in time, moderate increases to Chargebacks and Administrative Fees have been incorporated in the FY 2020 to FY 2024 CIP. The City still cannot afford what would be considered full chargebacks. In addition, following a recommendation by Staff and the Ad-Hoc Capital Improvements Committee, equipment chargebacks were increased as much as possible.

The City’s goal in developing a CIP is to list capital expenditure options for strategic decisions to accomplish the following:

1. Provide a long-term view of the City’s capital needs,
2. Focus attention on fund balance and capital expenditure needs and capabilities,
3. Achieve a financially prudent approach to the use of taxpayer dollars,
4. Encourage efficient administration across City Departments,
5. Improve municipal intra-governmental cooperation and outside funding resources,
6. Maintain a stable fiscal policy, and
7. Demonstrate where new or increased revenue is needed.

The CIP consists of roadways, infrastructure projects, sidewalks, buildings, water, sewer, and stormwater infrastructure improvements; and vehicles and equipment. This year, at the recommendation of City Council, Staff and the Ad-Hoc Capital Improvement Committee have taken strides to make the CIP fit more closely into the budget. The 2020 Proposed Budget should more closely reflect the projects outlined for 2020 in the CIP. However, due to changes, delays and economic realities not every project will be entirely incorporated into the FY 2020 Proposed Budget. It should also be noted that the City Council will provide final approval to all projects as they come up as resolutions or ordinances. The estimates in this CIP are based on what is known at this point in time.

The FY 2020 Proposed Budget will be released during September 10th City Council meeting and it will be loaded to the City Council computers. After that meeting, the FY 2020 Proposed Budget will be available at www.cityrm.org. The first public FY 2020 Budget discussion meeting will take place at the September 17th

Committee-of-the-Whole Meeting. The City Manager and Finance Director will typically hold one-on-one budget meetings with the City Council in September.

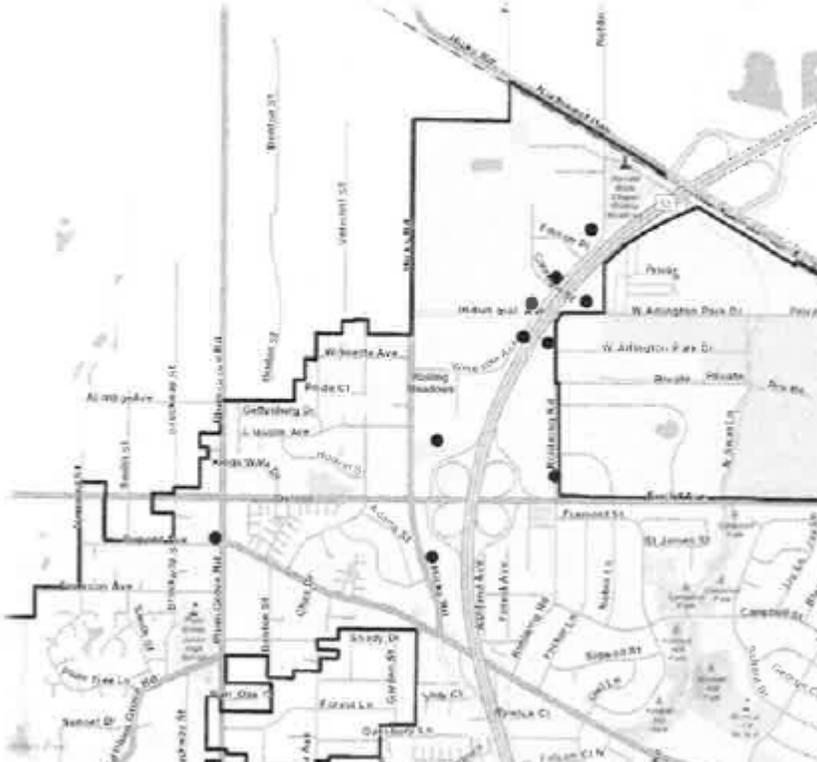
Alderman Bisesi - I was just wondering, you had mentioned the police vehicles coming from the general fund and not the vehicle replacement fund.

Barry Krumstok, City Manager - The reason for that is that their years of use is more of a commodity. Typically they have a three year life cycle because of how they're used. With the vehicle and equipment it's 10 years and \$25,000, it doesn't meet that parameter that we have for vehicle and equipment fund that's why it's considered a commodity in general fund.

5) Billboards

Rob Horne, Director Public Works – this item is coming to you, we refer to it as off-site advertising signs in the City Code but obviously the topic is billboards. Staff is currently working with the consultant to do Zoning Code updates, billboards is a significant topic as part of those updates. As a matter of recent history, a petitioner has come in, likely as a result of a recent variance, for a billboard that was permitted outside the overlay district. Another billboard petitioner has come to Staff seeking a similar approval. Staff has identified a variety of items that I think should be a concern to the City Council. We have met with the Planning and Zoning Commission prior to our meeting with you to get their feedback. I think if you read the memo you'll find that the Planning and Zoning Commission as well as Staff share similar views on this matter. Ultimately, maybe not at this meeting but we will be looking for City Council to provide input on some policy decisions that we can use to frame the final code language in the Zoning Code. To all of our benefit, this matter is coming to you all to listen to after our new Assistant Director of Public Works started her employment, her vast experience in planning and zoning matters have provided significant value and insight on this item and to this end, I'm happy to invite Jo Ellen Charlton along with assistance from Elizabeth Payne to guide you through this topic and of course Staff will be available afterwards to answer any questions you may have.

Jo Ellen Charlton, Assistant Public Works – I'm very excited to be here in Rolling Meadows serving as your Assistant Director of Public Works. It's been a deep dive very quickly. As Rob and Melissa alluded to we are working on the updated comprehensive Zoning Code update. I found that out on day two and on day three I was attending the Planning and Zoning Commission meeting after having reviewed the first draft of the Zoning Code update by our consultants. The second week I found out we were going to be talking about billboards in response to a potential petition coming in from someone interested in expanding or adding additional billboards on the south side of the community. In that regard, it's important for us to bring that to you so that you can understand where we are, how we arrived here, what we think we need to do moving forward. What I want to get from you at this point tonight is an understanding that we have a lot more research to do and we need to finish the zoning Code update. I have to say that I am very excited having heard some of the comments from the other topics from people both here and within your group that there is a lot of interest in getting public feedback and I think that's very important. I fully anticipate that we went to solicit opinions from not only our corporate partners who would be adjacent to these billboards but also from members of the public who might be impacted or have opinions about the image that billboards portray about our community. Again, I'm going to step through this fairly quickly, I know it's getting late.



The above map shows where the billboards are currently located in the community. Most of them are on the north side of the community and most are north of Euclid Avenue. Our history starts there and I'm going to step through that briefly. Prior to 2010 we had seven billboards in Rolling Meadows. In 2010, the City adopted an overlay district and regulations permitting off-site advertising signs (billboards) in an area generally located west of Illinois Route 53, north of Euclid for properties zoned M-1 and T-1. The overlay district area was expanded to the east side in 2015 when there were no more areas left on the west side that met State and/or local standards. The permitted area extends 1,300 feet north of the centerline of Euclid.

Last year in April 2018 the Council approved a variation for the first billboard that was located outside of the overlay district since it was created in 2010. The other really important piece of information it was the first billboard that you authorized in a commercial zoning district. All the other billboards were located in a manufacturing or a T district that were permitted in the overlay district. Not surprisingly once you grant that variation it's not uncommon then to have people come out and test the waters. We received a request for the property located at 3105 Tollview Drive, the property owner is in the audience tonight along with some people that he has worked with on this particular project.

I think it's important to acknowledge how we compare to communities that we share our business market with. When we look at the immediate adjacent neighbors in all directions, I thought it was important to look both along Route 53 and along east/west corridor as well. We look at our billboards, all fall within roughly 1 mile, that's a 1 mile area. So comparatively when you go north there is one billboard at the Arlington Race Track which is kind of still within our area and then when you go north of that, there are 2 billboards in the 4.5 mile segment north of Northwest Highway. To the south, you can go almost 5 miles before you find the first billboard at I-390, 2 at Irving Park and 2 at Lake Street and then none to I-355. I'm pretty sure that billboards are not allowed along the Tollway. On I-90 to the east, it's about 3.4 miles before you come to the first billboard and then to the West it's about 5.3 miles before there's a series of 4 billboards at the Bartlett exit.

This particular billboard would be what I would classify as the first in our corporate identity area. Many of our larger corporate partners and businesses are located in that area. It's my suggestion that this deserves careful consideration. We have our regulations but the State of Illinois has regulations for what they call Illinois Controlled Access Highways. If you add up the linear footage of the Illinois Controlled Access Highways in that area there's 30,000 linear feet of frontage and if you apply the State's criteria, there's approximately 60 billboards that could be located if we jammed them all in, that's a lot.

We hoped to bring this to you with a little bit of feedback from the Planning and Zoning Commission. At their August 7, 2019 meeting we were able to present the topics to them and look at the Zoning Code and get a little bit of feedback. Generally, everyone was under the consensus that we should restrict additional billboards in the community at least in the southern part of town. Their comments are outlined in the staff report but generally I think they're pretty consistent with what you normally hear. It has impact on public safety, image of the community, none of the neighboring communities support them and that we kind of stand out as the only community that supports them in the area. They would support a complete removal of the billboards and an amortization but understanding that they're a recommending body and the Council has the final say. If you were interested in continuing to allow them they would suggest some very specific well-defined standards. They were also pretty adamant that once those standards are set the use of the variation tool shouldn't be something we go to every time we get a new request. If we're going to set those standards we need to stick to the standards.

From the Staff analysis perspective, this is a high level overview, there's a lot more work that we should do and I'm interested in any feedback that you might have so that we can bring this back to answer your questions. We understand that as a community you want to be responsive to the request of the business community. One of the pros is, if you get a request you want to be as business friendly as possible and I know this is something that often comes up in the communities that I've represented. Another pro, while we don't receive a lot of financial impact from billboards in terms of the revenues or permit revenues that we receive or the fees that we receive, we do receive \$40,000 annually because the City has a billboard on City-owned property. If we weren't a property owner our fiscal impact would be negligible.

As for cons, the financial impact to the City is not significant. Non-pass through permit fees is only \$1,000 which doesn't cover Staff costs. Negative financial impact to adjacent owners as it detracts from attractiveness/marketability of their property and there's no financial benefit. Negative Economic Development impact to Rolling Meadows as it is a competitive disadvantage in promoting corporate businesses who can locate in neighboring communities that don't allow billboards and typically they're located on functionally obsolete and underperforming properties, so no incentive to reinvest if billboard permitted.

Finally, there are some legal issues that we need to evaluate with our corporate counsel. There is a 2015 court case (Reed vs. Gilbert) significantly changed the way all municipalities regulate signs. Generally, the case restricts local governments' ability to impose sign regulations that are content based, such as allowing non-profit temporary signs without a permit while requiring permits for other temporary signs. There have been discussions that the case may impact billboards. Additional analysis and review of recently adopted codes in communities that already allow billboards (like Rolling Meadows) is required.

Keep in mind that exceptions and variations from the Code require findings that there are unusual conditions or specific hardships unique to the property or location that warrant the variation. If those findings are made for one property and they are transferrable to another property, there could be legal precedence issues to consider.

What we recommend is that we continue to honor the regulations that we have today in our existing Overlay District and the Council give us permission to continue to complete the Zoning Code update before authorizing further variations or relief to that Code. We're currently essentially "built out" in terms of where billboards can

be located in compliance with our Code. As we've seen granting that one variance outside our overlay district gave us another request pretty quickly and I'm pretty sure that if we granted that one, more will surely follow. I think we need to a really good job making sure this is a direction you want to go or not.

Mayor Gallo – I was just coming home from Michigan the other weekend and going down 94 US 6 there's a billboard about every 100 feet on both sides, it's a little bit intimidating to think about something like that coming here. Are there questions from the Council?

Alderman Sanoica – I noticed that our City Attorney today did say that she was familiar with Reed vs. Gilbert. Melissa, did you have any comments that you wanted to add for the record at this time regarding that case and the consequences that we should consider as a Council?

Melissa Wolf, City Attorney - As you're evaluating a comprehensive zoning amendment and when you're thinking about your sign regulations, Reed vs. Town of Gilbert was instrumental in the sense that it addressed temporary signs that was the main issue related to that. With respect to First Amendment issues and sign regulations or restrictions that are enacted by local governments, the First Amendment may be implicated and if the municipality regulation is content neutral regulation which was what JoEllen was talking about, Reed was the opposite it was deemed content based. If it's a content neutral regulation, it's a lower level of scrutiny that's evaluated by the courts in determining whether or not you meet the appropriate time, place and/or restriction. If the regulation is content based for instance advertising signs could be deemed based on a content such as advertising. When it's a content-based restriction just like in Reed, there's a strict level of scrutiny and so the City would have to show that the regulation had a specific governmental interest and that your restriction or regulation narrowly tailored to meet that interest. When you're looking at revising the City's Zoning Code you would want to take into consideration any regulations that could be considered content based because the Reed case did affirm First Amendment standards when you're talking about free speech with respect to the regulations of signs that have a content issue related to them.

Mayor Gallo - Does that expose cities to liabilities in some manner?

Melissa Wolf, City Attorney – Yes, if the sign regulations have a content-based aspect to them. If there's certain First Amendment issues that can be presented if your city's code on its face shows a First Amendment violation or in practice. When it's on its face showing a First Amendment issue you don't need to have an impact from it, the fact that it's there in your city's ordinances could allow our resident to come forward.

Jo Ellen Charlton, Assistant Director Public Works - Melissa, could you comment on the fact that I believe the courts invalidated Gilbert's ordinance. I don't know whether they were given time to make revisions or whether that meant the church in that case got to erect their sign by court order. Could you talk about what some of the repercussions of not addressing your ordinances in the correct way could result in if the court were to make that finding?

Melissa Wolf, City Attorney – The prohibited sign technically would be allowed. If there were any violations related to a resident's failure to follow the code like fines imposed or anything like that, those would be retracted. Like I said initially, even on its face it could expose the city to a resident coming forward without even having had been imposed a fine or penalty or some kind of citation with that respect.

Alderman Bisesi - As far as Route 53, I believe we're pretty much at our maximum already based on the amount of distance between each billboard so we really can't put any more. Also, I would be in favor of letting the Planning and Zoning Commission do what they need to do, hash all this out and then bring it to us afterwards versus coming up with something beforehand.

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Alderman D'Astice - Have you had any conversation with the property owner, owner's representative and are they offering any fees to the City above and beyond \$1,000 permitting fees?

Jo Ellen Charlton, Assistant Director Public Works - I have not had any conversations.

Elizabeth Payne, Administrative Services Coordinator - In initial conversations with the petitioner there was some mention of public/private partnership which Director Vogt at the time deemed that our level staff involvement was at the zoning relief being requested which was the size, height, illumination and placement of the requested sign. I do not know what the details of that would be but that was mentioned as we spoke in the beginning.

Alderman D'Astice - So there is some public/private partnership that they want to form with the City?

Elizabeth Payne, Administrative Services Coordinator - In this instance that was mentioned and I don't know the details.

Alderman D'Astice - Can we get more information on that then?

Elizabeth Payne, Administrative Services Coordinator - Certainly.

Alderman D'Astice - That could have an impact on the decision. Also, have we heard from any of the neighbors of the property? Are they opposed to it? Or what does the area look like? It doesn't appear to be any residential there. You have two neighbors you might want to talk to.

Jo Ellen Charlton, Assistant Director Public Works - We haven't gotten to that point. I know they had some initial discussions. Because we were going through the update we wanted to come to you and see if you wanted to amend your Code now. Do you want to consider a variation? Do you want to wait and do a better thorough research as part of our zoning code update? As I mentioned in my remarks, I think most corporate people that I've dealt with throughout my career come to an area like that because they want that corporate identity and if they came in with no billboards I think it would be very important to get their feedback.

Alderman D'Astice - I think it would be important to get feedback from the neighbors as well. I thought you said that the petitioner was in the audience, are we going to allow him the opportunity to say anything tonight?

Mayor Gallo - Alderman D'Astice, they are signed in on the sheet and when Council is done discussing I'll open up the floor.

Alderman D'Astice - Okay, I didn't know. Thank you.

Mayor Gallo - Further comments? If there aren't any further comments at this time, I will open up the podium.

Sam Roti, Genband Media, Galena, IL - I need to first make a couple corrections for the record that Staff presented. The Gilbert's case has been settled in favor of Gilbert's. The plaintiff raised the First Amendment issue but the plaintiff never submitted a zoning application, the judge did not rule on the First Amendment issue, he said they had no status, they did not work with Staff as I've been doing, trying to do for the last eight months. They just decided to sign up property owners and sue the town for right to put up static billboards. They propose to put up five of them in a town that has a spacing requirement and their ordinance of 2500 linear feet. If you took their ordinance all they would be allowed to do is request one sign on that site. The judge dismissed the case. There is only a First Amendment issue if a town is deciding to change their ordinance in favor of one

person versus another, that's the only time there's a First Amendment issue. Your ordinance has a 1000 linear foot spacing. Your ordinance requires the sign to be 1000 feet from a residential area. With that requirement there would only be allowed two additional signs total on the Tollway. The one that I'm proposing and the one at the corner of Route 53 and the Tollway so you couldn't do half signs back to back. The other comment I would make is that the concerns that Staff raised are antiquated concerns. The reason why I would say that because these are digital signs and we're moving into a different era were these digital signs have multiple capacities that we haven't fully exposed yet. What our proposal is our public/private partnership serves a public benefit for emergencies, when there's an emergency the signs get turned off and whoever is controlling the emergency controls the sign. Public service announcements as well as to join this network that we're building which would be throughout Chicagoland that allows the town if the emergency warranted to expand their message beyond their borders, that's capacity that no one has ever been able to do because we never had a venue like a digital sign that can do that. To join our network we're doing a revenue share and it's substantial. In our proposal we averaged for the first 10 years \$85,000 a year to the town. All this is paid for with ad revenue. These signs are modern, they're not static signs that look old and dingy, this is an uplifting look, it's completely different than the signs respectfully that Staff is describing and how they have been perceived. Thank you for your time.

Mike Mallon, Watchfire, Lombard, IL - At a previous Planning and Zoning meeting I was available to answer technical questions and I'm happy to do that today. Just to supplement what Mr. Roti had discussed, the ability and I don't think you can understate not only the partnership but the ability of the community to promote advertising for community related events, there's value to that. Ad rates fluctuate they could be anywhere from \$2000-\$5000 per flip for advertising so there's also associated value in that. I think we need to couple all that along with the fact that this is modern technology and as discussed earlier nobody lives in Rolling Meadows aside from when their driving home will ever see the sign, it's along the highway, it doesn't face anybody's home it faces the Tollway. There are digital signs in adjacent communities so this is an unprecedented but I certainly understand the desire to take it slow as you're walking into uncharted waters here. If you have any questions from a technical standpoint I'll be happy to answer them.

Mayor Gallo - I do have two questions. The developer or builder of the billboard, are they the owner of then billboard therefore owning the space that's marketed for sale advertising space, is that something the billboard developer owns?

Sam Roti, Genband Media, Galena, IL - Yes, my partner is traded on the NASDAQ. I'm a developer, I'll be developing the sign, constructing the sign and it will be run by one of the top billboard companies. I'm not a sign operator.

Mayor Gallo - Two things that come to question. As you mentioned may be strategic communications using these digital signs so this location that you're looking to establish or erect a billboard, how does that tie in with the others and can you paint a scenario which you would use these in a network relationship for communication and why that space?

Sam Roti, Genband Media, Galena, IL - The communication with the network it depends on how successful I am on building the network, this is a new approach and it's taking this technology and trying to utilize it to its capacity or finding new capacities for it. Presently they're splintered, the sign industry using going off the static billboard model. My view is that a digital billboard should look like a digital billboard not like a billboard, there's no reason to have a catwalk. If you go into Chicago is a perfect example they are silver, they're designed for digital sign and not vice versa. For example, the one that you approved last year, it's taking a billboard structure and slapping a digital sign on it. I'm trying to build a network where people recognize them, they're beautiful, they're modern and they're able to display a message and give you a venue that you've never had.

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I'm sure the Chief could use this if there was ever a catastrophe. Diverting traffic, letting people know whatever the message may be. It has an important public service.

Mayor Gallo - Have you previously erected billboards in Rolling Meadows, your company, have you been part of any of the billboards here?

Sam Roti, Genband Media, Galena, IL – No.

Mayor Gallo - Your partner?

Sam Roti, Genband Media, Galena, IL – No, I'm a real estate developer. I was actually partners with the son of Kimball Hill. We did a 57 story high-rise in downtown Chicago. I'm a real estate developer, I approach this on the real estate construction. Just creating something that I think that could be successful in something I would be proud of.

Mayor Gallo - Creating platforms for content and messaging. I know some of us on the Council like to push our messaging on billboards.

Alderman Bisesi - Some of the messaging that you're talking about would that be things like Amber alerts? Or other things?

Sam Roti, Genband Media, Galena, IL – Yes. FBI as well as the town. Some of the things that the Chief was mentioning. I don't think we have all the ideas that the sign could be used for.

Alderman Sanoica - Alderman Cannon couldn't be here tonight but I did want to make the comment that in his Ward many of the residents were against a digital sign that was presented here along Quentin Road. Something to consider as we consider this item tonight.

Mayor Gallo - I think it is appropriate as a Council to weigh our options and take this at a conservative pace. Any further comments or questions?

Alderman D'Astice - Question to Staff, if they can get us more information regarding the private/public partnership?

Barry Krumstok, City Manager - Yes, what I have down is private/public partnership and contact the neighbors to try to get feedback on the potential sign.

Alderman D'Astice - I would like to find out more about that because the idea of a private/public partnership may be part of what our new ordinance consists of as it may be a source of revenue for the City or it may not be. It sounds on the surface like it's a good thing especially with the emergency dialed into it too.

Alderman Budmats - The sign that was approved in 2018, the property was reassessed, I'm assuming like every other property, so is that sign reassessed separately and does that provide income in that way or not to the City? Just curious, your assertion earlier was that the property values decline as a result of this, does the tax assessment for that particular property change as a result of the sign being placed there or is that parceled out for some purpose?

Jo Ellen Charlton, Assistant Director Public Works – We'll evaluate that but I don't think they're parceled out separately but we'll look at all of our examples in town and pick a few others from other towns and do an analysis on that.

6) AV Room – Audio Conferencing

Barry Krumstok, City Manager – This is two-fold, this is about Electronic Participation by City Council Members and we received from AVI Systems (the firm who installed our AV equipment and they do any repair and maintenance) regarding “Boardroom Audio Conferencing Upgrades.” The attached proposal dated July 15, 2019 states that the products and services summary has a cost of \$23,623 (this includes the shipping & handling).

If the City Council wants to move on this item, then either the amount can be budgeted for FY 2020 or some of the City reserves can be utilized to do the “upgrade” this year.

Also, if approved for funding, the City Attorney will prepare an official ordinance to allow for electronic participation (this will be based on the draft that Alderman O'Brien prepared last time).

There was one other request made regarding telephonic if people were going to call in questions or comments. IT Coordinator Justin Chiappetta who actually has left us, was working on that and the feedback came back from AVI Systems, it would be like starting a radio station here because of so much work they would have to do and it was touching into our phone system and when it went over six figures I told him to stop at that point as it's way past the parameters that we were working on. At this point, my recommendation is that we're not going ahead with that, but if the Council wants us to continue, we would need a straw vote but at this point we've evaluated it and it is very costly. What's in front you is strictly what Alderman O'Brien brought up and it has two parts.

Alderman O'Brien - Just a follow-up to the June meeting where it was discussed where other municipalities allowing now that a state law was passed for electronic attendance at a meeting. Stipulations are in there and I'm happy to walk through them again but they're some pretty robust situations and stringent categories. As Manager Krumstok said, last time it did get the straw vote to continue and that's why Staff looked into an estimate and the estimate is about \$23,000. If we still want to move forward with that to put into an official ordinance to you on take to a City Council meeting.

Alderman Sanoica - I had some feedback from residents that wanted to have some clarification on items 1, 2 and 3, to say that if an Alderman had a personal illness or disability, employment purposes or a family or other emergency, how much time would they be able to dedicate to being present at these meetings when they're remote? To that, I said I would bring that up at the Committee-of-the-Whole and that my understanding is that this is a way for us to prepare for an eye to the future for emergency management if there was a disaster, for example, our City Council would be equipped to be able to handle an emergency meeting of some sort. So not just an Alderman's personal emergency but an emergency within the City of Rolling Meadows.

Alderman O'Brien – Correct. That was part leveraging your comment last time, it was pointing us toward the future.

Mayor Gallo - I would agree that it's good too, eye towards the future when it comes to emergency management. I do know then we would have to start exploring emergency frequencies, cellular megahertz frequencies to tap into because it wouldn't work on regular conventional cell frequencies or lines that we have all around the town infrastructure wise and I think that would just exacerbate this price. When looking at this price I see capital equipment, I see a new vehicle per se given a \$24,000 price tag. I thought that in the spirit of this, if we could

do this for a nominal fee for the random time that one or two Council members were unable to be here and if it was a very contentious item or controversial item than they would have the liberty to call in but I think in the spirit of teamwork and camaraderie I think we can all just push to postpone especially with a Council meeting not necessarily a Committee-of-the-Whole meeting. If it were up to an item that was requiring full Council presents then we could just in the spirit of teamwork just postpone that rather than spend \$24,000 but that's not up to me to decide.

Alderman O'Brien - You're exactly right, I know that was the intent tonight were missing two people and I don't know what their conflicts were but it seems like just being on the Council for such a short time there has been a time where somebody's been missing based on one of these commitments. Obviously it's not vacation as the proposed ordinance says, the expectation is that we are here. I'm comfortable, I know it wasn't a full Council meeting, but we had to pretty good contentious situations tonight, the chickens and the recreational marijuana, and we still went forward we didn't have to defer.

Mayor Gallo – They're not up for a vote at a committee meeting. If next week for example, we had two Aldermen not present, I think in that spirit one councilmember would push for a motion to postpone and I would hope another would second that and we would all understand the validity in doing that. This is just a roundtable forum.

Alderman Sanoica - So then for those watching at home this would be an example where we're missing two Aldermen and they're both on vacation so they would not be able to dial in under this proposed ordinance.

Alderman Budmats - It does seem that the emergency management and maybe the Fire Chief would want to speak to this seeing that we were talking about emergency preparedness, that there would be some benefit for us in this area besides the immediate benefit if there were an emergency some way of us having a meeting remote and still within the confines of law if we've already set it up and so it seems that that provides some kind of additional benefit.

Melissa Wolf, City Attorney - From a legal requirement, I'm looking at the ordinance that requires that a quorum of the Council must be physically present for someone to remotely access and that is in compliance with the State's Open Meetings Act requirement. If it were a situation where there wasn't a quorum here, this remote access ordinance would not come into play. So in that emergency situation where no one was here it would not be something the Council could utilize to come together.

Mayor Gallo – We do for emergency management, we work with the OEMC for these things and I think at that point we'd leave it to our first responders to handle and we would just try and make our way here.

Barry Krumstok, City Manager - We would try making our way here or we would find an alternate location to hold the meeting. How we practice is if this facility is non-usable we have a second and third location that we would actually use. When we do our planning, right now we would go to the Public Works building because if you look on Berdnick compared to Kirchoff Road has a different flow we would be in the lunchroom because we could reset it up for what we do. The new fire station 16 would actually be the new backup because that open area that we have is actually being set up as a backup EOC. Typically you don't want EOC's on the second floor but this is our most secure building and the new fire station is being set up as the backup as it will have a generator, Public Works on Berdnick still does not have a generator and that does become a concern.

Alderman Sanoica - So what is the action that we're going forward with?

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Alderman O'Brien - I think Staff was asking for a straw vote to see if it should continue for an official ordinance given the estimate that we got back a roughly \$24,000.

Barry Krumstok, City Manager - It's two parts, resolution to expend for the equipment for 2019 or 2020 and do you also want to do the ordinance for electronic participation. I think if you do one you should do the other, if you don't do the first one don't do the second.

Alderman Bisesi – I'm worried that the cost will go up.

Alderman O'Brien – I agree. I figured \$25,000, based on the research I've done.

Alderman Bisesi – I would be a yes as long as it stays below \$25,000.

Mayor Gallo - Can I see a show of hands for those in favor of moving this forward with costs not to exceed \$25,000? Those in favor, raise your hand. Opposed? 3 in favor and 2 opposed.

Is there a motion to adjourn? Alderman Sanoica has made the motion and it has been seconded by Alderman O'Brien. All in favor say aye; those opposed say nay. The ayes have it and the meeting is adjourned.

There being no further business, by unanimous consent the Committee-of-the Whole meeting was adjourned at 10:35 p.m.

Respectfully submitted: Judy Brose, Deputy City Clerk

August 20, 2019 Committee-of-the-Whole Minutes Approved by Council on September 10, 2019.

Judy Brose, Deputy City Clerk