CITY OF FAIRVIEW HEIGHTS  
BUSINESS ALLIANCE COMMISSION  
TUESDAY, NOVEMBER 19, 2019 – 1:30 P.M.  
MEETING ROOM A  
FAIRVIEW HEIGHTS CITY HALL  
10025 BUNKUM ROAD

AGENDA

1. CALL TO ORDER

2. APPROVAL OF OCTOBER 8, 2019 MINUTES

3. CITIZENS’ COMMENTS

4. ECONOMIC DEVELOPMENT - DIRECTOR’S REPORT

5. MONTHLY REVENUE REPORTS
   a. 1% MUNICIPAL

6. LAND USE AND DEVELOPMENT - DIRECTOR’S REPORT

7. SET NEXT MEETING

8. ADJOURN
THE CITY OF FAIRVIEW HEIGHTS
BUSINESS ALLIANCE COMMISSION (BAC)
Tuesday, October 8, 2019 – 1:30 p.m.
Meeting Room A
10025 Bunkum Road, Fairview Heights, IL

Committee Members in attendance – Charles Daily, Charles Kassly, Don Barkley, Bill Poletti, Van Johnson, Samantha Carter

Committee Members absent – Robert Triplett, Richard Avdoian, Michael Hagen

Other Aldermen and Elected Officials in attendance – None

Staff in attendance – Paul Ellis, Andrea Riganti

Recorder – Wendi Gorney

Call to Order
Charles Daily called the meeting to order at 1:32 p.m.

Public Participation
none

Approval of Minutes
Bill Poletti made a motion to approve the August 20, 2019 minutes. Seconded by Don Barkley. Motion passed on voice vote.

Presentation

- A discussion of the information followed the presentation.
- Concerns were voiced that the current suggestions are the same that the city has been looking at for years. Council Members have still been interested and actively looking into making some of these things happen, i.e. East/West corridor, developing Ludwig Drive, etc.
- The city has recently purchased the old ice rink and is still determining what the city will use the property for.
- Charles Kassly brought to the group’s attention that an engineering study was funded by the state many years ago to research an East/West corridor but he wasn’t sure if the money was ever used. John Harty, Director of Public Works, was brought into the meeting to comment. He stated that the study pre-dated his employment with the city but he would look into it and report back to the committee.
- A discussion took place on whether or not the city will be allowing cannabis. The council is still reviewing the information and has not made a formal decision. Andrea Riganti has an informational packet regarding cannabis regulations and will send out to the BAC Committee. (emailed to members following the meeting)
- Charles Kassly inquired to see if there were any measures we were taking to attract people from Scott Air Force Base. Currently the city advertises in the base guide, has a location on the base map and Paul attends the SAFB Business Affairs Committee.
Samantha Carter suggested that we create a brochure to be included in the welcome packet that new military personnel receive when they are relocated to the base. Another suggestion is to have ‘military friendly’ businesses offer 10% off as a military discount, be listed on the brochure and maybe even have a sticker to post in their store window.

**Economic Development Director’s Report**

- Economic Development Steering Committee held an Open House at the Rec on September 12th. Will be presenting their next phase of the draft to the committee on Tuesday, October 22nd.
- Fairview Heights hosted the Downstate Illinois P3 Luncheon for the International Council of Shopping Centers.
- Fairview Heights Plaza is now owned by Namdar Realty Group.
- The PACE program is moving forward.
- Marketplace is looking into finding potential tenants for their property on I-64.
- The MEBI had $100,000 earmarked by the General Assembly. Paul is continuing to fill out and process all of the necessary forms and procedures needed to get the MEBI up and running.
- Paul Ellis was sponsored by Regions Bank to participate in the St. Louis Opening Seminar for Inner City Capital Connections, to help business owners in economically-distressed areas build capacity for sustainable growth in revenue, profitability, and employment.
- Bobcat has announced that they will not be moving and are looking into better utilizing the space they are currently in.
- Paul Ellis has been named by St. Clair County to the Mid America Workforce Investment Board, a collaboration of business, economic development, education, human resources, community, and labor leaders charged with developing and maintaining employment programs for five Illinois counties.
- In October, the Director will again be moderating a panel discussion bringing together economic development experts from across the nation as part of his participation in the International Economic Development Council (IEDC) Annual Conference in Indianapolis.

**Monthly Revenue Reports**

Director Ellis presented the sales tax report. The City is down -2.1%, or -$13,229.05, and year to date is down -1.8%, or -$103,776.99

**Land Use and Development** – Presented by Andrea Riganti, TIF Administrator

- Lincoln Trail TIF - will be looking into other ways to make meaningful Economic Development Changes.
- Ludwig TIF – focus resources and use TIF forms to redevelop the area.
- Toys R Us will be turned into a Planet Fitness
- October is Community Planning Month, Economic Development Directors and City Planners work tightly together

The next meeting is scheduled for November 19, 2019, at 1:30 p.m.

A motion to adjourn was made by Charles Kassly and seconded by Bill Poletti. **Adjourned at 3:04 p.m.**
Submitted By: Wendi Gorney

Recorder
MEMORANDUM

TO: Elected Officials

FROM: Paul A. Ellis, Director of Economic Development

DATE: November 7, 2019

SUBJECT: Economic Dev. Dept. - Director's Report

1. The Steering Group for the Economic Development Strategy will meet on Nov. 15 to refine recommendations and best practices in preparation for bringing the final plan to City Council for approval in December.

2. Franchisee Brad Heath has set the grand opening for Urban Air Adventure Park on Saturday, Nov. 23, with a “soft” opening the day before for first responders and their families.

3. Innovation Construction Services, LLC of Swansea has signed a lease with CBL Properties to redevelop the former Logan’s Roadhouse as the Signature Tap House, an upscale restaurant and brew pub.

4. Corbin Holdings, the owner of the former Toys ‘R’ Us location, is reviewing the architectural plans from Planet Fitness Midwest (PFMW), their tenant for the majority of the building’s space; meanwhile, the Director is continuing to work with Location CRE, Corbin’s broker, to identify and secure additional tenants for the remainder of the space and for the former Babies ‘R’ Us location.

5. Two local entrepreneurs will be opening Café Biz 618, a co-working and event venue, in Crossroads Centre (adjacent to TJ Maxx) after the first of the year; the facility will offer a variety of reduced cost office spaces, meeting rooms and other amenities attractive to entrepreneurs.

6. Fairview Heights joined regional celebration of STL Startup Week this week with events that included the second Encore Entrepreneur Roundtable and the first meeting of the Advisory Council for the Metro East Business Incubator (MEBI).

7. The application for federal tax exemption for the MEBI has been submitted to the Internal Revenue Service, and negotiations continue with local banks and other businesses to assemble the remainder of the funding needed to launch the incubator.

8. The Director met last week with Lt. Brad Worley, Chief Innovation Officer for the 375th Air Mobility Wing at Scott AFB, to begin engaging base personnel in the MEBI; each year, many airmen muster out of the Air Force locally and use their training and experience to start businesses.

9. Local property owner Han Ko, the President & CEO of the USAKO Group, has arranged a meeting later this month for the Director with representatives of three startups from South Korea.

10. On Nov. 14, the Director will be sharing details of the City’s new PACE financing program during a webinar, broadcast statewide, sponsored by the Smart Energy Design Assistance Center (SEDAC) and designed to inform builders, developers and property owners about this new incentive.
Economic Dev. Dept. – Director’s Report (continued)

11. The Director and the Director of Land Use & Development will begin working with the Business Alliance Commission to review the Business Assistance Program (BAP), with recommendations for improving the program expected early next year.

12. The Director has begun working to develop a Memorandum of Agreement (MOA) with St. Clair Transit and Metro Transit to initiate a “pop up” retail program—e.g., food trucks and other temporary venues—at the Fairview Heights light rail station.

13. St. Clair County Transit has invited the Director and representatives from other communities to meet with Thouvenot, Wade and Moerchen, Inc. to help assemble a draft Bike Trail Comprehensive Plan that will identify trail systems within each of the communities and help secure ROW for future trails.

14. The Director attended his first quarterly meeting of the Mid America Workforce Investment Board, a collaboration of business, economic development, education, human resources, community and labor leaders charged with developing and maintaining employment programs for five Illinois counties.

Paul A. Ellis
Director of Economic Development

Attachments:

a. Promotional Flyer – Café Biz 618
b. One Page Flyer – PACE Financing Program
c. Slides for Nov. 14 Presentation – PACE Financing
CALL: (530) 870-7894

CO-WORKING & SHARED OFFICE

CHOOSE YOUR WORKSPACE

ALL-INCLUSIVE PRICING

GREAT AMENITIES

- WiFi
- Meeting Rooms
- Coffee/Tea/Snacks
- Kitchenette
- Monthly Networking & Social Events
- Secured Access
- Security Cameras
- Color Copies $
- Notary $
- Event Space $
- Event Planner $

WE ARE VETERAN-OWNED

Schedule your walk through for an up, close, & personal view

PART TIME

$100/MONTH
- 5 days a month
- M-Th 8am-6pm; Fri 8am - 5pm
- 1 Hr Meeting Room
- 10% off event space rental

FULL TIME

$200/MONTH
- Unlimited
- M-Th 8am-6pm; Fri 8am - 5pm
- 2 Hr Meeting Room
- 20% off event space rental
- 100 B&W Copies/month

DEDICATED DESK
3 month Lease

$300/MONTH & UP
- Unlimited
- M-Th 8am-6pm; Fri 8am - 5pm
- 6 Hr Meeting Room
- 30% off event space rental
- 300 B&W Copies/month
- Mail Service

OFFICE
6 month Lease

$600/MONTH AND UP
- Unlimited
- M-Th 8am-6pm; Fri 8am - 5pm
- 10 Hr Meeting Room
- 50% off event space rental
- Unlimited B&W copies
- Mail Service

10850 LINCOLN TRAIL, SUITE 16 | FAIRVIEW HEIGHTS, ILLINOIS
The City of Fairview Heights PACE Program

WHAT IS PACE? Property Assessed Clean Energy (PACE) is a financing mechanism that enables low-cost, long-term funding for energy efficiency, renewable energy and water conservation projects. PACE financing is repaid as an assessment on the property’s regular tax bill, and is processed the same way as other local public benefit assessments (sidewalks, sewers) have been for decades. Depending on local legislation, PACE can be used for commercial, nonprofit and residential properties.

HOW DOES IT WORK? PACE is a national initiative, but programs are established locally and tailored to meet regional market needs. State legislation is passed that authorizes municipalities to establish PACE programs, and local governments have developed a variety of program models that have been successfully implemented. Regardless of model, there are several keystones that hold true for every PACE program. • PACE is voluntary for all parties involved. • PACE can cover 100% of a project’s hard and soft costs. • Long financing terms up to 20 years. • Can be combined with utility, local and federal incentive programs. • Energy projects are permanently affixed to a property. • The PACE assessment is filed with the local municipality as a lien on the property.

WHY IS IT SO POPULAR? Property owners love PACE because they can fund projects with no out-of-pocket costs. Since PACE financing terms extend to 20 years, it’s possible to undertake deep, comprehensive retrofits that have meaningful energy savings and a significant impact on the bottom line. The annual energy savings for a PACE project usually exceeds the annual assessment payment, so property owners are cash flow positive immediately. That means there are increased dollars that can be spent on other capital projects, budgetary expenses, or business expansion. Local governments love PACE because it’s an Economic Development initiative that lowers the cost of doing business in their community. It encourages new business owners to invest in the area, and creates jobs using the local workforce. PACE projects also have a positive impact of air quality, creating healthier, more livable neighborhoods.

HOW CAN I GET PACE? Property owners within the city limits of Fairview Heights, IL, can go to www.ssfunding.net/fvhinfo to get more information and fill out a preliminary application to begin the process of financing improvements to their buildings. Or, contact Sustainable Solutions Funding at (314)3814-7883, or email tom@ssfunding.net. If your property is not within the city limits of Fairview Heights, contact Sustainable Solutions Funding to find out how to begin the process of establishing a program in your area.
Setting the PACE in Fairview Heights

Paul Ellis, CEcD, AICP
Director of Economic Development
City of Fairview Heights
10025 Bunkum Road | Fairview Heights, IL 62208
(618) 489-2033 | ellis@cofh.org

While one of the youngest cities in Illinois, we have built consumer expectations over nearly five decades to see us as the retail hub for multiple counties in Southern Illinois, boasting 4.5 million square feet of commercial space including:

- St. Clair Square (super-regional mall);
- Seven other shopping centers;
- More than 75 restaurants; and
- Ten hotels and motels

I-64, the St. Louis region’s fastest-growing transportation corridor, runs through Fairview Heights with traffic counts at Exit 12 exceeding 75,000 cars per day
Fairview Heights was incorporated fifty years ago and has been largely built out, so it is a redevelopment city, regularly recycling spaces to accommodate new retailers; the past few years churn in the retail market has accelerated this process.

Fairview Heights is a sophisticated user of economic development tools and a willing partner with:
- Six Tax Increment Financing (TIF) districts
- Enterprise Zone
- Ongoing streetscape projects
- Business Assistance Program

The City’s Business Assistance Program has been recognized as a “best practice” for such programs across the St. Louis region.

Keeping PACE

Jan. 2018 – City began researching PACE for two anticipated entertainment projects, both with energy intensive uses
Oct. 2018 – City partnered with Sustainable Solutions Funding, LLC (SSF) of St. Louis to develop a local program
Feb. 2019 – Illinois Finance Authority (IFA) unveiled its strategic state support model
Sept. 2019 – City Council adopted local ordinances in cooperation with IFA and SSF

...and we’re off!
Keeping PACE

Eligible properties
Any privately-owned commercial, industrial, non-residential agricultural, or multi-family (of 5 or more units) real property or any real property owned by a not-for-profit located within the boundaries of Fairview Heights

Eligible projects
Acquisition, construction, installation, or modification of an alternative energy improvement, energy efficiency improvement, renewable energy improvement, resiliency improvement, or water use improvement affixed to real property (including new construction)

Fairview Heights’ PACE Program

• At present, only available for commercial projects and only those within the municipal limits
• Program oversight through the Dept. of Economic Development
• Program administered through SSF (outside vendor) with financing available from multiple sources
• Bonds issued and program standardized through IFA
• Applications packaged through SSF, approved by Director of Economic Development, then authorized by City Council
• Exploring development of a warehouse fund to help finance smaller projects
Fairview Heights’ PACE Program

Fees

Certain
- Application fee - $150
- Program fee – 1.75% of financed amount

Potential
- Bond placement fee
- Administration maintenance fee
- Servicing fee

In addition, the capital provider may charge an origination fee to cover their cost of arranging the PACE financing; any such fee shall be arranged subject to an agreement between the capital provider and the applicant.
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To: Business Alliance Commission  
From: Andrea Riganti, Land Use and Development Director  
Subject: Director’s Report  
Date: November 6, 2019

Following are the major action items or ongoing projects for the Department of Land Use and Development, which may be of interest to the BAC:

**TIF Administration, Planning and Zoning**
- Staff continues to discuss the Bunkum Road TIF with a developer, with the intent to determine how to complete the Fairview Hills subdivision.

- The streetscape improvements to Market Place and Lincoln Trail continue, as part of the Lincoln Trail TIF.

- Staff is working with the Economic Development Department to revise economic development incentives and applications.

- Staff continues to research the zoning implications of the state legalization of recreational marijuana and consult with surrounding communities. Thusfar, City Council has not taken a formal position on the item. Cannabis regulations were e-mailed to BAC in October; please advise if the information was not received.

- A Citizen’s Planners Workshop was conducted on October 29. Attached are the powerpoint presentations, which may be of interest to the BAC.

- The St. Clair County Trustee approved the City’s request to purchase the former ice rink at 125 S. Ruby Lane. The acquisition cost is $795.00. The property will be transferred to the City after a federally imposed “super redemption” period expires in January. The City will be evaluating the potential reuse of the property and building.

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**FYE - DID YOU KNOW…**

With an estimated population of 16,448, Fairview Heights is the 154th largest city in Illinois? There are 1,229 incorporated areas (cities, villages, etc) in the state.

- Our largest age group is 35-54 with 25% of the total population.
- Our male population is approximately 47%.
- Our veteran population is approximately 1,791.
- Approximately 73% of our housing is owner-occupied.
Code Enforcement
- Staff continues to perform routine inspections of problem properties and “hot spots” for potential property maintenance issues. Staff also responds to complaint driven issues for same.
- Staff continues to respond to animal control calls.
- Staff is evaluating the IML material on code enforcement best practices for possible program enhancements.
- During the winter months, staff will engage in commercial property maintenance sweeps.
- Staff continues to establish a neighborhood preservation strategy. The program will include vacant building registration program, education, identifying repair assistance programs, volunteer assistance. It is consistent with recommendations in the Comprehensive Plan and draft Economic Development Strategy.

Building Division
- Staff developed an application, brochures, and implementation processes for licensing electrical contractors in accordance with recently adopted 1838-2019 requiring same.
- The St. Clair County court authorized the City to demolish 109 Ruby Road for health/safety reasons. An Invitation to Bid to demolition contractors will be issued during the week of October 14 for that project.
- Staff continues to perform plan review and building related inspections.

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<th>2019 - CITY OF FAIRVIEW HEIGHTS - BUILDING PERMITS ISSUED</th>
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Ethics in Planning and Effective Public Meetings

Ted Shekell, AICP
Community Development Director,
City of O’Fallon, IL

APA Illinois State/St. Louis Metro Sections
Planning Commissioner Training Program,
Collinsville, Illinois

October 29, 2019
Planning and Public Ethics
A. The word Ethics is from the Greek ‘ethike’, meaning “the study of habits” and from ‘ethos’ meaning “character, guiding beliefs”.

B. Ethics Defined by Webster:

• “1. The rules or standards governing the conduct of members of a profession.
• 2. A set of moral principles or values.
• 3. The moral quality of a course of action.
• 4. The study of the general nature of morals and the specific moral choices to be made by the individual in his relationship with others.”
Framework for Ethical Decisions

• The Public’s Trust in our Government….

• What constitutes an “ethical” decision is not always clear – and sometimes it involves risk.

• Where do ethical guidelines come from for land use decision-making?
  - State law concerning ethics, gift bans, and other pertinent laws.
  - American Planning Association (APA) and AICP adopted guidelines
Roots of Ethics in Planning

- Planning Commissions date back to the early 20th Century in the Civic Reform Movement. This movement attempted to bring increased input and accountability to public decision making in response to the “machine” type politics of that day, which were often corrupt and partial.

- “Boss” Tweed and Tammany Hall in NYC in the 1850’s and 1860’s; estimated to have stolen $40-200 million (adjusted today’s $’s = between $1.5 to 8 billion)

- Alfred Bettman – appalled by city graft; 1915 Cincinnati Plan; planning commission chair; attorney for Euclid case; first CIP.

- *Planning Commissions were created as one means of encouraging more independent input into local government processes, particularly those related to land development.*
Important First Steps in Making Ethical Decisions

• Appointments

• Rule of Procedure, Bylaws, and the Decision-Making Process – Having these nailed down is key to due process, fairness, and equity for all participants in the planning process.

• Understand what constitutes an “Open Meeting? Public meeting required if majority of a quorum is present. Electronic means may also be meeting

• Final decision-making must be held in public in a formal environment; also includes “work sessions”.

• Know the difference between legislative vs. administrative acts. Both subject to judicial de novo review per 65 ILCS 5/11-13-25.
• Serve the public interest
• Support citizen participation in planning
• Recognize the comprehensive, long-range nature of planning and development decisions.
• Expand choice and opportunity for all persons
• Respect the rights of all persons
• Avoid conflicts of interest, disclose any personal interests, and avoid even the “hint” of an impropriety.
• Avoid “ex-parte” communications – “One Side Only”. It’s a due process problem.
• Do not seek nor offer favors
• Do not disclose or improperly use confidential information for financial gain
• Ensure access to public planning reports and studies on an equal basis
• Ensure full disclosure at public meetings
• Maintain the public’s confidence
• Be independent and non-political - recognize that ethical behavior IS good politics
• Do not misrepresent the facts
• Do not participate if you are unprepared
Four Main Areas of Ethics for Commissioners

- Conflict of Interest
- Gifts and Favors
- Treatment of Information
- Political Activity
Conflict of Interest

• No private benefit should be derived, whether direct or indirect, for the Commissioner or any relatives
• Conflicts should be declared openly, abstain from voting, and leave the room
• Legal opinion may be sought
• When in doubt, disclose
• Remember, “perception is reality” – avoid even the hint of an impropriety.
Conflicts cont...

Jim Segedy, planning writer, consultant, and professor, states in the Fall 2010 issue of PC Journal that, “As a planning commissioner you are called upon to check your personal interests at the door of each meeting. It is critical that you keep the community’s best interests in focus, not how the proposal may impact your own business, property, or income”.

(Planning Commissioner’s Journal, Number 80, Fall 2010)
Gifts and Favors

• Ethical vs. Illegal –What does the APA Ethical Principles in Planning and/or AICP Code of Ethics say? What ethical requirements and laws exist in my organization and/or my state?

• The best rule to follow is this: If in doubt, refuse.
Treatment of Information

• All reports and official records must be open (unless allowed to be closed, such as executive session) to the public on an equal basis.

• Private information learned during the course of performing planning duties must be treated in confidence. These matters become public when an official action is requested, such as rezoning.

• Prearranged private meetings between Commissioners and applicants and their agents should not be done. Partisan information received on a project should be made part of the public record. This ensures equal access to all information by all interested parties.

• Do not pre-judge or give the appearance of it.
Involvement in political activities by Commissioners should be governed by sound professional judgment, as well as any applicable laws or regulations.

Planning Commission powers should not be exercised to give any advantage to any one political group or party.
• Author and Planning Consultant Greg Dale noted, “As a Planning Commissioner you have an ethical obligation to remain in a position of objectivity and fairness. Any time you take a position at the urging of an elected official, you run the risk of tainting your credibility as an objective decision-maker”.

(Planning Commissioner’s Journal, Number 80, Fall 2010)
What do you do if you think you are faced with an ethical dilemma?
When You Suspect a Colleague Has Crossed an Ethical Line...*

- Stop. Examine your motivations.
- Figure out what the "wrong" might be.
- Determine what the consequences might be of letting the situation go unaddressed.
- Discuss the issue with the individual (or have a trusted confidant do so).
- Bring the matter to “appropriate city official”, if you believe it warrants reporting.
- If YOU are the “appropriate city official”, determine whether an internal investigation is appropriate and whether external enforcement authorities should be contacted.
- Consider steps to prevent the situation from recurring.

*Source: Western City Magazine, League of California Cities, Aug 2005
PUBLIC HEARINGS
AND
DEALING WITH THE PUBLIC
## Why is Meeting Management Important?

### Why are Public Meetings Important in the First Place?

- a. Ensure Public Has Trust in Their Government
- b. Ensure Fairness and Openness in the Process – People Want to Know They’ve Had a Fair Hearing
- d. Makes for Better Decision-Making
- e. Adds Certainty to the Process

### Consequently, managing meetings well helps ensure these goals are achieved.
Good Meeting Preparation

• **KEY - Preparation**
  • Plan agendas carefully – who goes first can make or break a public meeting
  • Distribute information, reports, and agendas well in advance of meeting to PC and applicants
  • Ensure agendas are posted and required notices completed prior to the hearing
  • Determine how info will be presented and in what format (“old school” vs. powerpoint, formal vs. open house, etc)
  • Understand the type, size, and temperament of audience, if possible
Use of Audio-Visuals

• People remember 20% of what they hear, 30% of what they see, and 50% of what they see and hear.
• Know your audience and know the room, and tailor the materials accordingly.
• Remember, good audio-visuals can’t replace lack of knowledge of subject.
• For formal PC hearings, use of powerpoint can be very effective. Helps gain control of the meeting, and it helps put everyone in the room on the same page during the presentation.
Good Meeting Structure

• KEY - Ensure you have clear administrative rules or by-laws on how to conduct meetings.
  • People need to know your actions are not arbitrary or pre-determined and that a system exists so they can be fairly heard
• Start on time
• Introduce all members
• Review the role of the PC, state it’s purpose, and set expectations for the meeting
• Set ground rules for public testimony and stick to them
• State how long citizen comments may be
• ALWAYS be polite to each other and the public
• Stay on track – don’t follow the rabbit into the hole…
• Use Robert’s Rules of Order, but do it wisely
• Be aware that your meeting may be the only contact some people at the meeting have with the City.
Responsibilities of the Chair

- **KEY - Have a Chairperson that knows the rules**
- Be well briefed; coordinate with staff if you have them
- Project sense of order, calm, and impartiality
- Avoid taking sides on an issue until vote
- Set ground rules for the meeting and for expected behavior
- Ensure meeting follows all legal requirements
- Ensure the City’s policies, plans, and ordinances are used as basis for decisions
- Ensure all parties have an opportunity to be heard in a balanced way and that due process is preserved
- Ensure the meeting is objective and fair to all parties.
- Coordinate an orderly flow to the meeting, including how testimony is given
Negative Commissioner Behaviors
(Elaine Cogan in PC Journal)

- KEY - Have rules of behavior explained to new PC members before their first meeting
- Regularly arriving late or leaving early
- Holding side conversations during meeting
- Speaking for the whole board, especially before a vote or decision
- Using patronizing or rude speech, or voicing opinions so forcefully as to give appearance of rudeness
- Long opinions on every subject; unrelated tangents
-Demanding excessive information
- Not paying attention; using cell phones
- Never use personal attacks/personal challenges
- Knowing it all and not valuing other’s opinions
- Being afraid to say “I don’t know or understand”
“Avoiding Hostile Meetings”

• Based on the article “Avoiding Hostile Meetings” by Debra Stein

• “Don’t Make ‘Em Mad”
  – Frustration – 80% in study said that frustration was a key part of their anger
  – Loss of “Face”, embarrassment
  – Poor meeting room or environmental conditions
  – Pay attention to negative signals from the crowd

• “Avoid Nasty Behavior”
  – Set ground rules and consistently enforce them
  – Allow some venting, but only if done with respect
  – Maintain eye contact/eliminate anonymity
  – Challenge personal attacks or rude behavior
  – Empathize with concerns of applicant and audience
Contact Information

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Tools of Planning

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City of Collinsville

Zoning Board of Appeals Member
Village of Maryville
Tools of Planning - Overview

- Brief History of Planning
- Enabling Acts
- Comprehensive Plans
- Land Use Controls
  - Zoning/Land Development/Stormwater/Code Enforcement/Building Codes
- Geographic Information Systems (GIS)
- Census Data
- Additional Resources
“Make no little plans; they have no magic to stir men’s blood and probably themselves will not be realized. Make big plans; aim high in hope and work.”

-Daniel Burnham
American architect and urban designer
1846-1912
Brief History of Planning

- 1893: Chicago Worlds Fair
  - “White City” - vision of what cities could be
  - City Beautiful Movement
- 1907: First Planning Board in Hartford, Connecticut
- 1916: New York passes first zoning laws
- 1926: Supreme Court upholds zoning in Ambler Realty v. Euclid, Ohio
- 1926: Federal Standard Zoning Enabling Legislation passed allowing States to regulate in their jurisdictions.
Enabling Acts – What gives Communities the right?

- Illinois Compiled Statutes
  - Municipalities – 65 ILCS Article 11
  - Counties – 55 ILCS Article 5-12
  - Townships – 60 ILCS Article 110

- 65 ILCS 11-12-4: “Every municipality may create a plan commission or a planning department or both. A plan commission shall be appointed by a mayor of a city or president of a village board subject to confirmation by the corporate authorities.”

- 65 ILCS 11-12-5: “To prepare and recommend to the corporate authorities a comprehensive plan for the present and future development or redevelopment of the municipality.”

- 65 ILCS 11-13-1: ‘...each municipality has the following powers: ...regulate and limit height and bulk of buildings, intensity of use of lot areas, divide the entire municipality into districts according to use of land and buildings...’
What is the Comprehensive Plan and why is it important?

- The Comprehensive Plan is a community’s compass.

- Establishes a community’s public policy in terms of transportation, utilities, land use, recreation, and housing.

- Encompass large geographical areas, a broad range of topics, and cover a long-term time horizon.

- Guides drafting and revision of other land use codes and ordinances.

- Land use ordinances and decisions based on a Comprehensive Plan will hold up better under judicial scrutiny if challenged in a court of law.
Key Elements of the Comprehensive Plan

- Policies and goals. Organized around themes or major elements
- Includes maps, charts, and textual materials. Future Land Use Map critical.
- Links to other plans – CIP, Transportation Plans, Parks & Recreation, Corridor Plans, Sustainability Plan
- Establishes direction, measures trends, and recommended action
Driving forces that lead to a Comp Plan update?

- Rapid growth/decline in population
- Economic growth/decline
- Local politics
- Incompatibility with local ordinances
- Updates may not involve the entire document
  - Topic- or issue-related revisions
  - Districts or areas of interest (downtown, enterprise zones)
Zoning Ordinances

- Zoning is an expression of the police power – the power to regulate activity by private persons for the health, safety, morals, and general welfare of the public.
- Zoning is the primary comprehensive plan implementation tool.
- Divides the municipalities into zoning districts which are shown on a map.
- Each district is defined in the zoning ordinance by:
  - Permitted land uses, special uses
  - the size (bulk) of the building
  - setbacks
  - parking requirements
  - Lot size and building coverage
  - Landscaping standards
  - Development guidelines
Zoning Map Amendments

- Petitions made to the municipality to rezone a property to a different zoning classification.
- Triggers a public review process – notices sent, publication in paper.
- Review proposed use and consider impacts on the surrounding area.
- Comprehensive Plan’s future land use map should provide guidance.
Special Use Permits (SUP)

- Uses which are deemed acceptable in a given district, but it’s potential impact on the district, neighborhood or adjoining property must be considered.
- The use may generate traffic congestion or public health hazards, that if not “conditioned” by the governing body would result in an undesirable land use.
- Municipalities may tie conditions to the request in order to limit impacts.
- Common Types of SUP – Drive-through, home occupations, home daycares, kennels, automotive dealers, etc.
Variances

- Process allowing applicant to request deviation from the set of rules or requirements.
- Need for variances recognized in zoning – recognizes that one rule does not fit all.
- Review process considered a quasi-judicial process because it is an appeal based upon limited evidence and limited scope of review.
  - Degree of variation
  - Legitimacy of hardship or practical difficulty
  - Hardship should not be self-inflicted
  - Availability of other options
  - Impact to municipal services
  - Impact to surrounding properties
Text Amendments

❖ Zoning Ordinances evolve over time and require occasional amendments.

❖ Evaluate the frequency of the types of petitions being made and how often the requests are approved (typically applies to SUP and Variance)
  ➢ If a request is approved on a regular basis, consider amending the regulation.

❖ Necessary to accommodate newly emerging uses or issues
  ➢ Internet Based Businesses
  ➢ Microbreweries
  ➢ Recreational Cannabis Dispensary/Cultivation
Land Development/Subdivision Ordinances

- Primary tool for establishing a development layout and street design.
- Establishes minimum requirements for public improvements and right-of-way.
- Preliminary Plats
- Improvement Plans
- Final Plats
- Plat Act Exceptions
Design Guidelines

Basic Building Design

Enforced Design Guidelines

Don’t settle with the basic!
Stormwater Management

❖ Stormwater is water from precipitation such as rain, sleet, or melting snow that travels over land into the nearest tributary or body of water.

❖ Stormwater Management is regulation and control of the design, construction, use and maintenance of any new development or redevelopment or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth.

❖ Key Elements of a Stormwater Ordinance

➢ Assure new development or redevelopment does not increase the drainage or flood hazards.
➢ Protect new buildings and major improvements to buildings from flood damage due to increased stormwater runoff and soil erosion.
➢ Protect human life and health from the hazards of increased flooding and soil erosion on a watershed basis.
➢ Know your Community’s floodplain areas!
Code Enforcement and Property Maintenance

- Used to ensure compliance with zoning, building, and property maintenance.
- Municipalities have the authority to impose administrative fines when a code violation persists.
- Applies to structures, storage of materials, maintenance of lawns, etc.
- Helps preserve property values.
- Typically the most confrontational tool to utilize.
- Very important tool – can set the tone of the image of a community.
- Must allow violators due process.
Typical Violation Process

1. Reporting of Violation
2. Verification of Violation
3. Notice to Property Owner
4. Civil or Criminal Court Action (If Necessary)
5. Violation Abated – Case Closed

Most Common Types of violations

1. High weeds & grass
2. Abandoned/Inoperable vehicles
3. Condition of fencing or structure
4. Signs in the Right-of-Way
5. Parking commercial vehicles/equipment in residential areas.
6. Parking recreational vehicles in the front yard long term
Demolition of Vacant/Abandoned Homes via Condemnation
Demolition of Vacant/Abandoned Homes via Condemnation
Building Codes

❖ To protect the health, safety, and welfare of people by creating safe buildings and communities
❖ To provide the highest quality codes, standards, products and services for all concerned with the safety and performance of the built environment
❖ Varying versions of the code out there. Each version builds upon the previous.
Building Code History

Babylonian Code of Hammurabi

1780 BC

“If a builder build a house for someone and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death.”
Geographic Information Systems – (GIS)

- Creates maps to assist the decision making process.
- Helps identify topography, floodplain, and other natural characteristics of a property.
- Can evaluate the activity of a property over time.
- Recent Development – Madison County Board passed a resolution in October of 2019 to share GIS data for free to all municipalities and nonprofits.
Census Data

- 2020 Census is upon us
- Provides a snapshot of your community’s demographics
- Evaluate a community’s population over time.
- Compare data of neighboring communities.
- Source of Federal funding based on population.
Additional Resources

American Planning Association
Making Great Communities Happen

Chancellor’s Certificate Program in Planning and Zoning

East-West Gateway Council of Governments

PLANETIZEN
APA Zoning Practice Publications

ZONING PRACTICE
FEBRUARY 2019
AMERICAN PLANNING ASSOCIATION

ISSUE NUMBER 2
PRACTICE TEMPORARY USES

ZONING PRACTICE
MARCH 2019
AMERICAN PLANNING ASSOCIATION

ISSUE NUMBER 3
PRACTICE URBAN AGRICULTURE

ZONING PRACTICE
APRIL 2019
AMERICAN PLANNING ASSOCIATION

ISSUE NUMBER 4
PRACTICE INFILL HOUSING
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