

Minutes of the Land Use and Development Committee Meeting

The Land Use and Development Committee of the McLean County Board met on Thursday January 5, 2018 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Erickson, Members, Wollrab, Beard, and Scritchlow

Members Absent: Member Wendt and Cavallini

Other Board Members Present: Gordon, Robustelli, Metsker, Soeldner, McIntyre

Staff Present: Mr. Bill Wasson, County Administrator, Mr. Don Knapp, Assistant County Administrator, Ms. Jessica Woods, First Civil Assistant State's Attorney, Mr. Eric Schmitt, Administrative Services Director, and Ms. Julie Morlock, Recording Secretary

Department Heads/
Elected Officials Present: Mr. Phil Dick, Director of Building and Zoning,

Others Present: Mr. Michael Brown, Director of Ecology Action Center

Chairman Erickson called the meeting to order at 3:30 p.m. took roll call and declared a quorum.

Mr. Erickson stated that at the meeting the day before there was a motion by Members Scritchlow and Johnson on Item 5A of the Agenda which was the 20 year materials recovery and resource management plan for McLean County, Bloomington and Normal, Illinois. He stated that before they got to that they had a request to speak by a member of the public a Mr. Shields. It was determined that Mr. Shields was not present.

Mr. Erickson stated that he wanted all members to get their views in and be heard. He stated he would be voting on this matter. He asked for an informal poll of the members as to whether they would pass the plan as presented without the amendment

Mr. Scritchlow – No
Mr. Beard – No
Mr. Johnson – No
Ms. Wollrab – Yes
Mr. Erickson - No

Mr. Dave Shields arrived at the meeting and was allowed to speak to the Committee. Mr. Shields stated that he had a concern that the Board rules would not allow them to vote on an amendment as written. Mr. Shields stated he was also concerned with

statements that costs would be passed along to consumers. He stated that whether it is voluntary or an ordinance costs will be passed along. He stated that he did not believe ordinances are an overreach. He said that plan as he saw it was to teach people to better stewards of the environment. He stated that the free market has spoken and they approved the plan. He recommended passing the plan as is. Mr. Erickson thanked him for his comments.

Mr. Erickson asked if there were any amendments or discussion on the original plan.

Mr. Scritchlow apologized for the confusion at yesterday's meeting. He stated that he felt the plan needed to be based on the free market and not ordinance driven. He stated he had made it clear through entire process that he does not support ordinances in this plan. He said that he had many meetings with staff, members of the board and constituents, all of whom guided him. He stated that sometimes people have agreed and sometimes they have not, but they have all been civil and respectful. He stated that at yesterday's meeting there was suggestion that he was trying to block ordinances out of self interest. He stated he wanted to be clear that he was here to serve his community and in no way trying to block ordinances out of self interest. He stated that his business recycles and he does not believe an ordinance will affect his business. He stated that his rental properties had been referenced but he owns single family homes that the City of Bloomington provides recycling to and his commercial tenants provide their own waste removal services as part of their lease. He stated that he will stand up for what he believes in, whether popular or not. He stated that this plan does not force any government body to pass an ordinance as presented and if amended it will not stop a government body from passing ordinance. He stated that he had been on a planning commission and plans matter. He stated that it has been clear that there is every intent to reach the goals as laid out in the plan via ordinance and that is not something he could support. He thanked the Committee for their time.

Mr. Erickson thanked him.

Motion by Scritchlow/Johnson to amend the solid waste plan to include the changes presented to the Committee today.

Mr. Scritchlow asked if Committee wanted him to walk through the Amendments. Mr. Erickson stated yes.

Ms. Wollrab asked for clarification on what was being presented today as it looked as though there were several changes from the version yesterday including that the goal amounts had been changed. Mr. Erickson asked for clarification as well. Mr. Knapp stated that yesterday had changes that Mr. Brown has suggested as well changes from Mr. Scritchlow. Mr. Knapp stated that today the document only includes changes that Mr. Scritchlow requested, as Mr. Scritchlow did not ask to change the goal numbers. Ms. Wollrab asked for clarification that the goals were back to the original amounts. Mr. Erickson stated that it was his understanding that the new amendment was keeping the

goals as they were originally and merely trying to amend the plan to remove references to ordinances. He asked them to clarify that the plan that was distributed today had the original goals. Mr. Scritchlow stated that he had not asked that goals be changed. Ms. Wollrab stated that she thought they were going to get a redline of amendment proposed yesterday to the original document and this is a new iteration, with many changes and she had not had time to review this new amendment. Mr. Erickson clarified that the amendment was withdrawn yesterday. Mr. Erickson stated that this is a new motion to amend.

Mr. Scritchlow went through his proposed changes in the plan.

Ms. Wollrab asked whether staff at the Ecology Action Center had a chance to review document as presented. Mr. Brown confirmed he had. She asked if he was comfortable with document as it stands. Mr. Brown stated they would prefer that the original plan be passed as that was the outcome of two years of work, but would do their best to implement plan that is passed.

Mr. Beard asked if the County passes a version that changes the original plan and then the City and the Town pass the original version or the other way around would all public bodies have to revote. Mr. Wasson stated that the understanding is that the plan, with any approved amendments and public comments would be submitted to the Illinois Environmental Protection Agency and the Illinois Environmental Protection Agency would review it all and provide feed-back to the County. Mr. Brown confirmed that is conceptually correct but stated he was not sure they would get a final response from the IEPA. Mr. Beard asked him to confirm there would be no expectation to re-vote. Mr. Wasson stated that we can make a submission as amended.

Mr. Johnson asked Mr. Brown to define a stakeholder. Mr. Brown stated they included a broad range of participants in this process including focus group members, resource experts and small business owners, waste industry professionals, and recycling companies in the community. He stated that the appendix does not include all stakeholders as some asked that they not be mentioned.

Mr. Johnson stated that the plan mentions "leveling the playing field" and is tied to an ordinance approach and that just because a plan says leveling playing field does not mean that it will happen. He said that Grays Lake is mentioned because they have an ordinance in place and asked how that ordinance is enforced. Mr. Brown stated that he could not remember all of details of their ordinances. He stated that the wording in our plan is left vague so that communities could work out those details. Mr. Johnson asked what research was done to show that ordinance approach will level the playing field. Mr. Brown said that the language was used by a focus group that consisted of owners in the rental businesses as they perceived that if all apartment owners had to implement a recycling ordinance, the playing field could be leveled as costs that are passed along to tenants would be passed along by all companies.

Mr. Beard stated that he wanted it clear that he was not trying to question time spent on this or question the expertise of those individuals who worked on the original plan. He stated that some communities hire a trash ordinance team that goes through trash and give out fines and he would not want that for our community. Mr. Beard said that to say that an additional change in the tactics is going to be a horrible thing is something he could not stand behind because this is a continued compromise. He said that as government officials they can pass ordinances and they should not take that ability lightly. He stated that he did not want to force people to do things, even though most would say it is for the greater good. He provided example from another community of passing an ordinance that fined someone for helping a homeless person on a cold day. He would encourage going down the voluntary path and work on the education of the population.

Ms. Wollrab stated that the original plan contained approximately 1500 hours of work, research and outreach over a 2 year period with 100 stakeholders participating in collaborative focus groups to identify current issues and brain storming new solutions. She stated that there had been almost 100 percent public comment in favor in plan as written and went over the breakdown of those numbers. She stated that all but one public comment submitted in writing or verbally was in support of the plan and that a petition with 2,333 signatures was submitted in support of specific strategies in the plan. She stated that the community came together to develop this plan and has received broad support. She stated that the purpose of the public hearing is to ensure that citizens are aware of a proposal and have the opportunity to speak for it or against it. She said that except for the single voice there is full throated public support for the plan as it was original presented which includes a robust approach to recycling including ordinances. Ms. Wollrab stated that we have ordinances for many types of behavior and does not feel we would want to get rid of the parking ticket or drunk and disorderly ordinances. She said that the strong support of the community was witnessed during the public comment period, by the communities participation in and private donation of time and money to the hazardous household waste event, and by the success of curbside recycling in Bloomington and Normal. She stated that people want to make use of available recycling options when they are presented them and they want recycling efforts to be aggressively increased. Ms. Wollrab stated that despite very strong public support for recycling and the original plan today there is a motion presented which significantly weakens the solid waste plan. She stated that the efforts mounted against this plan have not sprung from public opposition to the plan because there has been none, but have come from private and specialized interests. She stated that in all of her years on this Board she could remember a single time when the Board voted against a proposal that has had such broach public support. She further stated that the County Board has a reputation for encouraging citizens to work together to find solutions and that is what was done when the solid waste plan was put together.

Mr. Beard asked Mr. Brown what the C&D recycling rate is today. Mr. Brown stated that the 2014 rates were 53,500 tons of C&D waste generated and 2,345 tons of that was recycled which was a 4% rate. Mr. Beard asked if we reach goals set early then would

that just move plan forward quicker and not necessarily raise the goals or if we fall short would he feel we had failed the plan. Mr. Brown said that we do not have fines for not reaching goals and any progress is good. He stated that these are strategies and priorities and will still be developed as plan is rolled out over the next 20 years. Mr. Brown stated that they are required to do a update every 5 years to the plan and revise the plan accordingly. Mr. Beard wanted to clarify that if B/N comes to the Ecology Action Center tomorrow to develop an ordinance then he would be free to do that and asked if they had been approached in the past. Mr. Brown confirmed he could and that he had not been approached in the past. Mr. Beard asked why Normal did not do multi resident when they started curb side for single residence. Mr. Brown stated that he was not directly involved in decision process and it could have been that cost would have been involved because they scaled back drop off locations at that time.

Mr. Johnson asked about metrics of those who participate and those who do not and if there is one group that does not participate more than others. Mr. Brown said there is not one group over another. Mr. Johnson went over lists of stakeholders and mentioned that only 4 people listed for small business and we need to make sure that this group is included in the plan. Mr. Beard stated that list is not comprehensive and small businesses were involved in process. Ms. Wollrab stated that if any small business wanted to oppose the plan then they had the opportunity during the public comment period. Mr. Scritchlow stated that he is a small business owner and was not sure he would have spoken up because if you are considered to be speaking out in opposition to recycling you are criticized for it.

Mr. Erickson asked if anyone else had any further comments; hearing none, he asked Mr. Brown if he had any further comments. Mr. Brown thanked the Committee for opportunity discuss and answer their questions. Mr. Erickson thanked him for presenting

Mr. Knapp reminded the Committee that there was a motion by Scritchlow and Johnson to amend as presented so vote would be on those amendments and if that passes then you would vote on plan as amended.

Roll call

Scritchlow yes

Beard yes

Johnson yes

Wollrab no

Erickson yes

Motion by Wollrab to approve original plan – no second

Mr. Knapp stated that they now need to vote on the original motion by Scritchlow/Johnson as amended.

Scritchlow – yes

Beard yes

Johnson yes

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Wollrab no

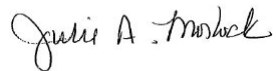
Erickson yes

Plan approved as amended

Mr. Erickson stated that the next meeting date would be February 6th at 3:30 p.m.

He asked if there were any other items to come before the Committee; hearing none, he adjourned the meeting at 4:42 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Julie A. Morlock".

Julie Morlock

Recording Secretary