

VILLAGE OF SMITHTON  
COMMITTEE AS A WHOLE  
NOVEMBER 26, 2019  
7:00PM

Mayor Smallwood, Trustees Yoch, Becherer, Rogers, Elbe, Henning and Mourey were present. The meeting was called to order at 7:00pm.

POLICE DEPARTMENT INTERVIEWS

Part-time officer Diecker interviewed for the full-time officer's position.

Trustee Elbe informed the board after the interview that Chief Neff would like to have the full-time officer start on December 28, 2019 so that Neff can use him to help fill in the schedule.

MIDDENDORF CONSTRUCTION BUSINESS LICENSE

Mike Middendorf and Neil Trentman were present. Trustee Elbe verified that Attorney Durso is researching the ordinance on this issue. Trustee Yoch reviewed the current ordinance 40-4-10 – Public Buildings. Yoch referenced when the former Remick's building was being converted to the current HVAC business, they were told that no units could be left on the parking lot for more than a couple of days. Middendorf stated all of his equipment would be stored inside, with the exception of 3-4 large pieces – 25-foot trailer, storage container, etc., which would be stored in the open lot on the south end of the property behind a 6-foot privacy fence. His equipment is currently stored outdoors and he would like to have it moved indoors. Trustee Becherer confirmed that this lot was not part of the Two Twins Storage facility. Trentman referred to building 5 of the storage facility which has not yet been refurbished, even though there is a special use permit for that building doesn't mean they have to use the building just for that special use. They should have the right to be able to choose if they apply the permit to the building or still be able to use it for any other approved B-1 business. The Board stated that Attorney Durso is looking into that. Trentman and Middendorf argued that if the storage facility were to go away, there shouldn't be any issue with a construction company going in since that is an approved business in the B-1 district. Trentman pointed out that there are other construction companies and businesses in town that store the same type of equipment along Route 159 – he counted 7 properties. They are asking for the same opportunity that these businesses have been granted. For example, Wilson Landscaping on the north end of town is B-1. The ordinance does not state where the B-1 can be located. Middendorf asked if

Middendorf and Ruess Construction rented space from Two Twins LLC for storage, can they not park their trailers and tools in the units, as long as they are not parking their vehicles in the units. They would then need to settle the issue on the south lot. Trustee Mourey asked, if approved, will building 5 be finished like the other buildings, which Middendorf stated it would have the same finish; they would also concrete or asphalt the south lot. Middendorf shared that he had previously sent a letter explaining his plans for the buildings. They would keep a piece of equipment in the lot that would be used to transfer equipment off a truck and into the storage building. They would have licenses on any equipment that would be stored in the building. Trentman and Middendorf also noted that this business employs 40+ employees. Not all of them would be here on a daily basis, but it would be additional people visiting other establishments in Smithton. Mayor Smallwood stated that at this time there isn't a lot we can do until we hear from Attorney Durso what the legal ramifications are, if any.

#### ARAMARK CONTRACT

Mayor Smallwood informed the board that he has checked into the contract with Aramark. According to an addendum on the contract, 60 days' notice of cancellation would be required to cancel the contract. The contract is set to automatically renew on January 6, 2020 for another 3 years. Smallwood told the board that Chief Neff was hoping to cancel the police department contract and use the money to hire someone to clean the police department. Smallwood will contact Aramark to renegotiate the contract if possible.

#### IRRIGATION METERS

Trustee Yoch informed the board that all irrigation meters regardless of size must have an RPZ and have the backflow preventer inspected annually by a certified inspector. This is a state regulation to prevent cross contamination of the water system. The trustees reviewed the ordinance and decided to remove the option to rent meters from the village. In order for any sewer credit to be given, a meter with a backflow preventer must be purchased from the village. Proof of annual inspections must be provided to the village along with proof of the meter reading. Sewer credits for filling swimming pools will be eliminated. The ordinance will be updated and then voted on by the trustees.

#### CANNABIS ORDINANCE

Trustee Becherer reported that there is a bill in Congress stating that any Cannabis revenue must go through the federal reserve. Trustee Yoch reported that there will be four recreational marijuana dispensary licenses granted in the Macoupin County/Monroe County area in January, then more allowed in the future. Any facility with an existing medicinal license will have the right of first refusal. There are high costs involved in getting a dispensary license. Mayor Smallwood told the board that a village ordinance must be in place by January 1, 2020 or it will be too late to try to ban the sale or purchase of cannabis in the future. Trustee Elbe stated that the people he asked for opinions were about half for and half against allowing marijuana in the village. The trustees reviewed the tax revenues on dispensaries and the need for policing. The

trustees agreed that restrictions should be placed on the location of any future dispensaries if they are allowed in the village. Smallwood will contact Frank Heiligenstein to gather more information before the trustees make any decisions.

#### RENTAL PROPERTY REGISTRATION/INSPECTION ORDINANCE

Trustee Yoch shared the rental property registration/inspection ordinance that Attorney Durso has reviewed. The Mayor and trustees reviewed and finalized the ordinance. Yoch will complete the ordinance and bring it to a vote at the next Board meeting.

Meeting adjourned at 9:55pm.