

The City Council met in Regular Session in Council Chambers. Mayor Stadsholt called the meeting to order at 7:00 p.m. City Clerk, Jesse Hall, called the roll and the following Alderpersons answered to their names: Denis Bryant, Bob Cooper, Dan Griffin, Christopher J. Rilea, Richard "Tayler" Shore, James "Gus" Stroh, Ross McDowell and Nick Urish.

A quorum was present. The minutes were recorded by City Clerk, Jesse Hall.

The pledge of Allegiance to the Flag of the United States of America was repeated by all City Officials and guests.

PUBLIC COMMENT #1

DISCUSSION: Tristan McGrew addressed the City Council with his concerns about increasing the number of Class A liquor licenses. I just started serving with Recovery Core on the 15th of January and what we are trying to do is make communities more recovery friendly. Just a few facts. 1) As a society, we take alcohol and put it over here and we put drugs over here. That makes no sense. Alcohol is a drug. And a lot of times, we do not step back and look at it like that. You know, and it is readily accessible. It is right there in our face. 2) Gambling, gambling has the highest suicide rate of any addiction in this world.

ACTION TAKEN: None

DISCUSSION: Sheryl Siebenborn addressed the City Council about a Proposal for a Ban on Open Burning of Yard Waste in City Limits.

Havana has an opportunity for growth that many of its neighboring cities lack. It has a riverfront for recreation, and it has an actual, increasingly vibrant, and walkable downtown.

But a walkable town and riverfront don't mean much if the air is so filled with acrid smoke from burning leaves and other yard waste that no one wants to be outside in it.

- People will be hesitant to move here.
- Tourists will be hesitant to shop or stay here

Fortunately, Havana already has a program in place to collect yard waste at no additional cost to garbage-service subscribers. This already existing service includes almost every home, since it is bundled with water and sewer. So the practice of individuals burning their leaves and branches appears to continue solely due to what the Illinois EPA calls "traditional tolerance" rather than out of necessity.

I would like to ask the Council to consider ending the open burning of yard waste in city limits with the goal of protecting the health and economic wealth of its residents and businesses.

Quality of Life

The primary purpose of limiting open burning of yard waste is a simple one of health. This is already a concept accepted by Havana, as evidenced by the Tobacco Free Zone signs at Havana playgrounds.

Smoke from fires of all types is an acknowledged health risk. And open fires typically put even more pollutants into the air than those that release smoke through a chimney.

While it might be theoretically possible to burn yard waste somewhat fast and hot, in reality what results is a smoldering leaf pile. Not only is the smoke unpleasant, the health risk makes it absolutely impossible for some people to be outside.

Studies of the negative health effects of wood smoke and other particulates and gases from open burning point to long-term health effects as Alzheimers*, heart attacks, and strokes.

Short term/immediate effects of pollutants and airborne particulates from open burning of wood and other natural materials can include coughs, headaches, and - for those who suffer from asthma or COPD - possibly life-threatening reactions.

Thus, many Havana citizens are effectively held prisoner in their homes so that others can burn a few leaves whenever they please rather than collecting them for essentially free pickup.

* Air pollution and smoking are two of 12 identified risk factors for dementia. [alzheimers.org.uk]

Havana's Open Burning Code

Havana's burning ordinance already bans the burning of "any material of any kind within the city limits". However, current code includes an exception to allow the "burning of leaves, twigs, sticks or other yard waste between sunrise and sunset of any day" *[emphasis added]* as long as that yard waste is burned on private property and the fire is attended at all times.

Illinois EPA

The Illinois EPA has banned all open burning except "landscape waste", which it leaves up to local ordinances to limit. However, the EPA encourages "finding a **safe alternative** to open burning." **Havana has already done this.** All it needs to do now - as it develops its downtown and looks to expand its businesses and attract more residents - is to stop yard waste burning.

EPA "MODEL ORDINANCE"

The EPA offers a **model ordinance** to make it easier for towns to prohibit "the burning of leaves and other residential trash." Like the Havana ordinance, the EPA's model ordinance exempts recreational, cooking, and other specific fires from its ban. However, the model ordinance goes on to prohibit burning "during high winds, temperature inversions, air stagnation, or when a pollution alert or ozone action day has been declared" - health and safety prohibitions that do not exist in the current Havana code.

OTHER EPA REQUIREMENTS AND RECOMMENDATIONS

The EPA also requires that cities/towns "**address enforcement** of offenses and infractions" of their open burning regulations "at the local level." The model ordinance includes example wording on penalties and enforcement, and suggests first offenses be simply warned/informed.

To smooth implementation of new burning regulations, the EPA suggests that cities **train** police and fire personnel" on local ordinances and authorize them to issue fines and that they **educate residents** through "outreach programs to change behavior." Educating the public may be fairly easy due to Havana's city offices having a strong social media presence.

What Some Other Cities Have Done

NOT ALL TOWNS are plagued by nearly daily smoke from smoldering leaf piles, and for outsiders the experience of a smoke-filled town can be quite a shock. Visitors to Havana can find themselves scrambling to close car windows as they come into town, or hurrying back to their vehicles after a short trip outside. How have other cities worked around this problem?

GALESBURG, ILLINOIS

Galesburg has banned open burning of yard waste. Instead, "yard waste is collected weekly from March through November; and monthly from December through February."

In addition, "mulch and compost are available to Galesburg residents free of charge, and can be picked up during the facilities operating hours. Mulch and compost are provided on a self-serve basis and residents should bring their own shovel to load the material."

Residents here can walk in parks and residential neighborhoods; as well enjoy the shopping districts, without encountering clouds of smoke. The city has undertaken other revitalization moves as well, including revamping dangerous streetscapes to make them friendlier to walkers and cyclists and simplifying intersections for safety, as well as identifying eyesores and enforcing blight ordinances. The difference from just a decade ago is striking.

WASHINGTON, ILLINOIS

Washington is a city that, not unlike Havana, has a pretty and vibrant downtown. This city has banned all **smoldering** and states its recognition of the health hazards of burning. Nonetheless, due to conflicts with

adherents of tradition, Washington allows yard waste **burning during certain months and hours** as a "compromise".

Washington's ordinance places emphasis on "proper" and "courteous" burning practices, and the Fire Chief can prohibit burning at any time due to atmospheric or other hazardous conditions. This places pressure on those choosing to burn and can complicate enforcement.

If a similarly limited model is considered for Havana, the city should preferably take this a step further - limiting burning to specific days within the burn months. This would allow those affected by burning to plan appointments, shopping trips, etc. and allow businesses to plan outdoor functions without concern they would be smoked out.

Washington does offer its residents a weekly yard waste pickup program but, unlike Havana's yard waste collection, this service is only available as a separate subscription. Havana's program places the burden on the city, not the residents, and is thus much fairer and more likely to be successful.

Cost and Other Considerations

The residents of Havana deserve smoke-free air, especially the most vulnerable among us, including our children. The business owners of Havana deserve a clean downtown and clean business districts to help them attract and keep out-of-town customers. Fortunately, the solution isn't difficult or costly.

As noted, Havana already has a yard waste pickup program, so there would be little to no additional cost incurred by a burn ban.

- If some residents might need a bit of assistance with bundling branches or shoveling leaves into cans, Havana is certainly a resourceful enough community to come up with ways to help.
- And with more yard waste coming into Havana's tree dump, it might be a good time to start a program to chip and handle the waste material, possibly providing the resulting mulch to residents for free (as Galesburg does). Mulch is always welcome in Havana's sandy soil!

The additional expenses that might be incurred by the city if more yard waste suddenly needs to be collected is a far cry from the expenses to be incurred to solve Havana's other pollution problems: lead pipes and sewer gasses. This is an easy win for the city, and this "progressiveness" can be cited in grant applications to fund the harder fixes.

The regulatory environment is heading in the direction of a total ban. It would be to our advantage to be out in front of such a move, reaping the health and economic benefits and securing a future in which Havana is as known for its quality of life as it is for its river.

ACTION TAKEN: None

DISCUSSION: Melanie Sarff-Daniels addressed the City Council about a Proposal for a Ban on Open Burning of Yard Waste in City Limits. I moved back to Havana three years ago with my husband who has never lived in a small town before and it was last year and all of a sudden we had our windows open and he's like, our house is on fire. And we had to go figure out where the smoke was coming from. It kind of filled up the house and made it very difficult for us to breathe. I actually have tracheal stenosis and when I get allergens and things like that, it kind of tightens. So anyway, there are a lot of people who have issues. I just would like to ask the council to consider this ban.

DISCUSSION: Vickie Pace Lickiss of Vic's Place, addressed the City Council about increasing the number of Class A liquor licenses. I will use liquor license as a commodity, and when it becomes saturated, it is not worth anything anymore. And I don't want to see that here. I appreciate that we want empty buildings to open and be nice, but I do not know why it has to be the same thing we already have. I would like to see something unique come in. That is what Vic's did, there was a void of Italian food and that is why we came in. And again, we bought a business that already had a license. I'd also like to say and I mentioned this last time. I read a quote from Councilman Stroh from probably two meetings ago and I said this last time. You know, when I was growing up, there was a bar on every corner downtown. With us trying to promote Havana as a destination place. I would prefer to see other types of businesses come in. It is not about competition. We just we need to grow in a way where we are not just repeating ourselves. And, you know, I think you probably already have your mind

made up, but I do want to say that because if the vote is a yes, I will be back to say I told you so when it happens. There are going to be buildings that will be filled and other businesses that will now be empty because the commodity does not stretch that far. So we need to think about that as well.

ACTION TAKEN: None

DISCUSSION: Megan Wilson-Friedrich addressed the City Council with her concerns about increasing the number of Class A liquor licenses. I am speaking tonight into regards to Ordinance 1481. As a lifelong resident of Havana and secretary for the Havana Area Chamber of Commerce, I do feel the need to speak against changing Ordinance 1481 and the negative implications it will likely cause, both in the short and long term, to our small business owners and our community. For almost 10 years, I have worked in sales and marketing, over the last two years I have been focused primarily on market dynamics, business analytics, and strategic innovation with small businesses in Central/Western Central Illinois. I am also an MBA candidate and working to strengthen these skill sets to help small businesses, in both my career and our community. As I am looking at the proposed change in ordinance, my primary concern is with the current market dynamics in Downtown Havana and the oversaturation of market with an additional four liquor licenses being approved. Just in the downtown area alone we have 8 current liquor licenses - I think it is important to note that we also have 3 current event spaces with another 1 currently being renovated and SIXTY-SEVEN gaming (gambling) machines in Havana. An additional four liquor licenses will hurt our current businesses and likely the new businesses as well. Havana's population has decreased by around 9% in the last ten years ([https://data.census.gov/profile/Havana city, Illinois?q=160XX00US1733513](https://data.census.gov/profile/Havana%20city,%20Illinois?q=160XX00US1733513)) with no future indications of a large increase in population - the current population of Havana and the current economics already prevents all of our current businesses from being open 7 days a week. If you go downtown on a Friday or Saturday night (when there is not an event being hosted by one of the current businesses), you will see there are not a lot of community members or tourists coming to the already established businesses. If the city does approve these new liquor licenses then we do pose a high risk of our current businesses not hosting the amount of events they do now and with this will come a reduction in the amount of people who travel to Havana for these events. If we are looking at this from a tourism and destination standpoint, an increase in restaurants, bars, and gaming machines will not provide tourism or make Havana a destination town. To grow, we must be innovative and innovation is not another bar, restaurant, event center, or gaming machine. I would encourage the City Council to look at other options to increase tourism to Havana. As a community, we need to work together to keep our current businesses afloat and support them however we can - our businesses already struggle with hiring and retaining employees, increase in the cost of supplies with no increase in demand, decrease in profit trends. The following article does review this information and research performed by NFIB, a company conducting research for small businesses since 1973. <https://www.nfib.com/surveys/small-business-economic-trends/> - Our current small businesses in Havana do struggle with 1 or all of these current economic issues, I do believe with the same types of businesses coming into our community that short-run and long-run closures will happen and the entire market equilibrium will be thrown off. These closures will not be good for our current small business and our community. I am passionate about this town and our community and I do not want to see our current business owners fail, I am asking that you take great consideration into the matter and think about the short-term and long-term effects this will ultimately have on the community. I do not want Havana to go back to where it was 15 years ago.

ACTION TAKEN: None

DISCUSSION: T.J. Painter addressed the City Council. One of the primary goals of the city over the past few years has been improvement of the infrastructure in the downtown area. Since this goal was established, there have been some incredible changes, thanks in no small part to some of the people in this room. I am very eager to join these efforts by renovating a vacant building and providing the town with another dining option, and that can only happen with more available Class A liquor licenses. As you know, the number of Class A licenses available is currently tied to the population of the community. This regulation was put in place at a time when local establishments largely served local customers. Today, a greater proportion of the city's commerce comes from people visiting Havana for work, business or pleasure, making population an inaccurate measure of the number of licenses needed to support the available customer base. To quote the city's website: new business development will increase local services and amenities, increase employment opportunities and increase sales and property tax revenues for the municipality. By passing this amendment, you will be allowing not only more options for dining and entertainment, but also more good jobs, more tax revenue, and a complement to the cityscape instead of a detriment. Along with this, I still believe there is a gap in the market from the closing of Route 78 Sports Bar. The downtown is often full at peak hours, and people are going out of town to eat. Whether

it be because they can't get seated or are simply looking for other options, they are leaving Havana to eat dinner. This surely indicates a need for another restaurant. Two towns I think we can draw inspiration from are Galena and Grafton: both are small communities on a river that have managed to generate a huge tourism industry, partially because they have some really cool restaurants. Galena has 12 full service restaurants and Grafton has 9. My definition of full service is to sit down to order and to have access to beer, wine, and spirits. Havana currently has two such restaurants open full time, and one of these has a very limited cuisine. Along with this, many of the Class A Licensees are not open full time, and while this business model may work for them, it doesn't give an accurate representation of our City's options for entertainment and dining. Since people have read the articles in the Democrat, I have had nothing but support from the town, and have had many business owners tell me they thought a new restaurant would be a great addition to the downtown. My goal is for the entire downtown to do well, and I think a new restaurant will bring more people to town, helping all businesses. While I understand no one preferring competition, I believe the ultimate beneficiary of competition is the consumer, and I truly believe there is enough opportunity in town for everyone to pursue their dream. I know how much dedication this industry requires to succeed, and I believe I have energy and the passion to build an establishment that Havana will be proud to call its own.

ACTION TAKEN: None

DISCUSSION: Julie Morgan-Morissette of LuLu's Craft Beverage Co. also, addressed the City Council about increasing the number of Class A liquor licenses. One of the things I learned from the last City Council meeting was you wanted to move from population based to tourism based. And you keep throwing out Galena and I disagree, I believe we can be a Galena, but I don't know how many of you been there in the last couple of years. You know what they have? They have an entire store dedicated to root beer. An entire store dedicated to chocolates to leather to petals to floral. I mean, you just pull up a map of the two blocks. They are very unique, very specific and that is destination that is what brings in tourism and from a retail perspective.

ACTION TAKEN: None

DISCUSSION: Todd Schaeffer of Babe's and The Stag Tap also, addressed the City Council about increasing the number of Class A liquor licenses. "Hopefully, one of you will make a motion to have a feasibility study for this," he said. Noting that people were passionate on both sides of the issue, Schaeffer's solution was to engage a professional who would not be biased, and had the expertise to do a study on the feasibility.

ACTION TAKEN: None

APPROVAL OF MINUTES

DISCUSSION: Mayor Stadsholt asked if there were any additions or corrections to the meeting minutes of March 5, 2024.

ACTION TAKEN: There being none, the minutes are approved as submitted.

TREASURER'S REPORT

DISCUSSION: Mayor Stadsholt entertained a motion to approve the Treasurer's Report as submitted. Alderperson Bryant made the motion, seconded by Alderperson Rilea.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions or corrections to the Treasurer's Report. There being none, the motion passed by the following vote:

Voting Yes: Rilea, Shore, Stroh, McDowell, Urish, Bryant, Cooper and Griffin

Voting No: None

FINANCE REPORT

DISCUSSION: Mayor Stadsholt entertained a motion to approve the Finance Report as submitted. Alderperson Stroh made the motion, seconded by Alderperson Griffin.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions or corrections to the Finance Report. There being none, the motion passed by the following vote:

Voting Yes: Urish, Bryant, Cooper, Griffin, Rilea, Shore, Stroh and McDowell

Voting No: None

MAYOR'S REPORT

DISCUSSION: Mayor Stadsholt reported on the following items:

- Today we had Third Tuesday Business Coffee at the Riverside Club. Our speaker was Mike Osborn, who presented Small Business Marketing Basics. It was a very beneficial discussion.

- On Thursday, March 21, 2024, we start FOP negotiations with the representatives from FOP as well as our own Labor Attorney, Rhett Barke. TEAMSTERS' LOCAL NO. 627 negotiations will be coming; we just have not been notified of the day.

ACTION TAKEN: None

CITY CLERK'S REPORT

DISCUSSION: No report

ACTION TAKEN: None

CITY TREASURER'S REPORT

DISCUSSION: No report

ACTION TAKEN: None

CITY ATTORNEY'S REPORT

DISCUSSION: No report

ACTION TAKEN: None

ECONOMIC DEVELOPMENT REPORT

DISCUSSION: Economic Development Coordinator, Brenda Davenport-Fornoff reported on the following items:

- I have still have not been in contact with S&S Signs, Lighting, Electrical about the welcome signs and Tivoli Lights. They are really dragging their feet on getting back with me. I have sent them two emails. I am going to give them a phone call.
- Tivoli Lights, I have not heard back on the grant, but we can go 500 linear feet of Tivoli Lights with one power source. It will just be poles. So that is a good thing.
- As far as the Business Park, I have been working on a lead and I think it is a strong lead. The Mayor and I did a tour last Thursday. They will probably be doing a presentation to the council sometime in April.
- IRBS has really gotten some traction. We have U of I behind us now, they will let us use their logo. We are trying to meet on a monthly basis.

ACTION TAKEN: None

PUBLIC WORKS REPORT

DISCUSSION: No report

ACTION TAKEN: None

POLICE CHIEF REPORT

DISCUSSION: No report

ACTION TAKEN: None

FIRE MARSHAL/ZONING OFFICER REPORT

DISCUSSION: No report

ACTION TAKEN: None

HEALTH AND SANITATION

DISCUSSION: No report

ACTION TAKEN: None

LICENSES, ORDINANCE AND LEGAL

DISCUSSION: Alderperson Rilea made a motion to take the tabled motion Ordinance 1481 from the table, seconded by Alderperson Shore.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed by the following vote:

Voting Yes: Bryant, Cooper, Griffin, Rilea, Shore, Stroh, McDowell and Urish

Voting No: None

DISCUSSION: Alderperson Rilea made a motion to approve Ordinance 1481, an Ordinance Amending Chapter 5.24 of the Code of Ordinances of the City of Havana, Mason County, Illinois, seconded by Alderperson Shore.
ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed by the following vote:

Voting Yes: Griffin, Rilea, Shore, Stroh, Urish and Cooper
Voting No: McDowell and Bryant

DISCUSSION: Alderperson Rilea presented Ordinance 1482, the Annual Budget for Fiscal Year 2024-2025.
ACTION TAKEN: None

PLANNING

DISCUSSION: No report
ACTION TAKEN: None

PROPERTY AND ZONING

DISCUSSION: No report
ACTION TAKEN: None

PUBLIC SAFETY

DISCUSSION: No report
ACTION TAKEN: None

PUBLIC WORKS

DISCUSSION: Alderperson Bryant made a motion to approve a curb cut request from the Havana Park District at the 400 block of West Main Street, seconded by Alderperson McDowell.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed by the following vote:

Voting Yes: Cooper, Griffin, Rilea, Shore, Stroh, McDowell, Urish and Bryant
Voting No: None

DISCUSSION: Alderperson Bryant made a motion to approve the State of Illinois CY2024-CY2025 Rock Salt Contract, seconded by Alderperson McDowell.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed by the following vote:

Voting Yes: McDowell, Urish, Bryant, Cooper, Griffin, Rilea, Shore and Stroh
Voting No: None

PERSONNEL

DISCUSSION: No report
ACTION TAKEN: None

FINANCE AND PURCHASING

DISCUSSION: Mayor Stadsholt entertained a motion to go into Closed Session, under the Open Meetings Act 2(C)(5), The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. Alderperson Cooper made the motion, seconded by Alderperson McDowell.

ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Bryant, Cooper, Griffin, Rilea, Shore, Stroh, McDowell and Urish
Voting No: None

DISCUSSION: Mayor Stadsholt entertained a motion to come out of closed session. Alderperson Stroh made the motion, seconded by Alderperson Cooper

ACTION TAKEN: Mayor Stadsholt asked if there were any questions. There being none, the motion passed with the following vote:

Voting Yes: Bryant, Cooper, Griffin, Rilea, Shore, Stroh, McDowell and Urish
Voting No: None

PUBLIC COMMENT #2

DISCUSSION: Kelli Schaeffer of Babe's addressed the City Council. I am disappointed in the council for not taking the opportunity to get an actual feasibility study done, before you took the vote.

ACTION TAKEN: None

ADJOURNMENT

DISCUSSION: Mayor Stadsholt entertained a motion to adjourn the meeting. The motion was made by Alderperson McDowell and seconded by Alderperson Griffin.

ACTION TAKEN: The meeting was adjourned at 8:25 p.m.



Brenda Stadsholt, Mayor



Jesse Hall, City Clerk

Guests: Brenda Davenport-Fornoff
Matt Fliege
Jeremiah Hindahl
Alex Noble
Jay Sarff
Bob Martin
Tristan McGrew
Lori Fornoff
Bill Boyce
Vickie Lickiss
Holly Neville
Matt Neville
Kelli Schaeffer
Todd Schaeffer
Bill Blessman
T.J. Painter
Lindy Giesler
Julie Morgan Morissette
Megan Wilson-Friedrich
Sheryl Siebenborn