

MINUTES OF THE OTTAWA PLAN COMMISSION MEETING

January 28, 2013

Chairman Brent Barron called the meeting to order at 7:03 p.m. in the Ottawa City Council Chambers.

ROLL CALL

Present: Barron, Burns, Less, Perry, Reagan, Stone, Volker

Absent: Buiting, Howarter

Others: City Planner Tami Huftel

MINUTES OF PREVIOUS MEETING

It was moved by Stone and seconded by Perry that the minutes of the January 7, 2013 meeting be approved as published. Motion carried.

OLD BUSINESS

None

Chairman Barron advised that due to the large number in attendance for the ADM public hearings the order of the new business agenda would be changed to allow Ottawa Funeral Home's request be heard first.

NEW BUSINESS

e. Public Hearing – “Conditional Use” Request for 1111 LaSalle Street

Co-owner of the Ottawa Funeral Home Karen Walsh Nussbaum introduced Mr. Thomas Krowl of Cremation Systems to explain the plans for use of a portion of the existing building at 1111 LaSalle Street for cremations. Krowl then explained the installation of the system, what external changes would be made to the existing building and the emissions into the air that would occur in relation to what is allowable by the EPA and what other types of commercial/industrial emit. Items and questions covered included:

1. The configuration of the existing building will only be changed by the addition of a stack which will be only 21 ½' in height from the ground level.
2. Emissions from the stack are considered a “minor source” of particulates in the air and will amount to less than 1/5th of what is allowable, 25 lbs of emission are allowed per hour. A crematory releases a maximum of 1/10th of a lb. in a 2 hour period. A typical wood recreational fire emits into the air 5 times what a crematory does. Krowl provided a printed handout explaining the chemical components of cremated remains (attached)..
3. The State and the manufacturer require a constant monitoring of the emissions by a control system that is installed. Weather and/or season of the year are not factors.
4. Currently the owners use a crematory in Streator, the only licensed facility LaSalle County. Incorporating this option on site at the Ottawa Funeral Home business will allow the owners to have complete control over this procedure. It is their intention to offer this service only to their customers, not to expand their business by performing cremations for other funeral homes.

There being no further questions or discussions, it was moved by Volker and seconded by Less that the OPC recommend the City Council approve the request for a Conditional Use per Staff Report for the property located at 1111 LaSalle Street to be used exclusively and solely by the applicant for their own customers. Motion carried unanimously.

c. Public Hearing – Request for R Zoning for 1481 & 1495 E. Illinois Route 71 (ADM)
Brett Madison, Director of Terminal Services for ADM, explained that the transportation of sand from the existing site(s) on Route 71 must be toward the east. In that regard, his company has a location that is suitable for the trucks to haul the sand for barge shipping. The initial site suggested for the terminal has been changed to a different location on ADM property that already has a road for truck easy ingress/egress and established visual protection from the highway. The tank that is proposed for the sand will be the same as others on ADM property but would be located farther away from them than originally planned. There are 3 parcels involved in this request which would be zoned “R” upon annexation into the City and the approval of “conditional use”.

Burns questioned why ADM wanted to annex into the City. It was explained that under County Zoning a terminal is allowed to accept/ship grain or sand but not both. ADM wishes to retain the grain facility and add sand shipping. Tami noted that the County only allows one conditional use per parcel including these (3) properties that they have zoned as “A-1/Agricultural”.

Chairman Barron reminded members that there were 2 items on the agenda concerning ADM. The first item to be considered regards the zoning request of “R”, the second item was to address the request for a “conditional use” for a Barge Fleeting Operation for transloading and hauling of grain, sand, Gravel, etc. Attorney Gary Mickey introduced himself as representing Michael Davies, a landowner whose property is surrounded by ADM parcels. He explained that he was not present to object to the request for “R” zoning but rather the notification process of the contiguous property owners. Barron asked Tami if the City had followed the standard timeline in notifying owners and advertising the request for a zoning change. She indicated that all was in order and the “not less than 15 nor more than 30 day” process had been adhered to. Mickey reminded members that the Ottawa City Council had only recently changed their ordinance referencing “R” zoning to include “Barge Fleeting Operation” as a conditional use. He noted that by State Statue the notification did not comply with the required timeframe because the Council’s zoning changed occurred on January 15 and this meeting was being held on January 28, only 13 days after Council action. He said that his client’s letter was dated January 15, postmarked January 17 and not received until January 22 and that many neighbors had only received theirs on Saturday January 26 and some received no notice at all. He added that because three parcels are involved in this request that each parcel needed to have the appropriate signage in place which apparently did not occur. Mickey also noted that ADM needed to start the entire request process over and do it right in order to give the opportunity to all concerned to react/act accordingly which can’t be done with insufficient notice.

Reagan commented that the City Ordinance does not indicate a specific time for notices and felt the City Attorney should be asked to look into whether or not the City’s notification process was adequate. Perry added that regardless of City Ordinance, it would not supersede State Statue.

Following discussions among the OPC and interested parties in the audience, Chairman Barron advised members he felt this was not a matter of just tabling a request but a possible “start-over”. He said he would like to have the City Attorney’s review of the City Ordinance. Gary Mickey agreed and reminded the OPC his issue at this time is the improper notification not the request itself and that this needs to be done right the first time not go through considerable discussion and time only to discover later that it was an illegal meeting.

There being no further comments, it was moved by Reagan and seconded by Stone that further discussion of the ADM zoning request be tabled until the next regular meeting of the Ottawa Plan Commission scheduled for February 25, 2013 to get the legal interpretation of the City Attorney regarding proper notice. Motion carried unanimously.

d. Public Hearing – Request for Conditional Use for property at 1481 & 1495 E. Illinois Route 71.

It was moved by Reagan and seconded by Less that the Public Hearing for a “Conditional Use” for ADM property be tabled until the next regular meeting. Motion carried unanimously.

Burns noted to the audience that the next meeting* would either be a continuance or a “start-over” of this night’s meeting, depending on the City Attorney’s interpretation of applicable ordinances and statues and to include: 1. Has the applicant complied with the City and State Statues and is the City Ordinance in compliance? 2. Have the proper signs been or need to be posted per parcel?

Barron and Tami agreed that the audience will either have to wait until they get new notices of a meeting or come to the next regular meeting to continue this discussion.

Audience member Betty Boudreau then asked members of the OPC what the benefit is to the City to have this property annex into the City rather than let them remain under County jurisdiction?

a. Public Hearing – Zoning Ordinance Amendments

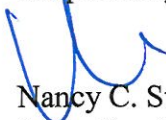
It was moved by Stone and seconded by Perry to continue the Public Hearing for the Other Zoning Ordinance amendments. Motion Carried unanimously.

b. Public Hearing – Sign Ordinance

It was moved by Less and seconded by Volker that the Sign Ordinance Public Hearing be continued. Motion carried unanimously.

There being no further business, it was moved by Less and seconded by Stone to adjourn the meeting. Meeting was adjourned at 8:30 p.m.

Respectfully submitted,



Nancy C. Stisser
Recording Secretary

*Following the meeting it was learned that City Attorney Anita Kopko will not be available on Monday, February 25, 2013 so the next OPC is being rescheduled to Monday, March 4, 2013.

THE CHEMICAL COMPONENTS OF CREMATED REMAINS

The results provided, with the exception of Phosphate and Sulfate, are presented as the element. However, in the body these elements are present as a part of a variety of organic and inorganic compounds. Upon cremation, most of the organic compounds are converted to the metal oxide. Depending on the conditions of cremation, some may also be converted to carbonates. The inorganic compounds may remain as phosphates, sulfates, chlorides or carbonates, or may be partially converted to oxides. The carbon from the carbonates and the oxygen from the oxides and carbonates are not included in the data presented. Those elements are not determined by the testing procedures used for this report.

The precision of the testing procedure used is +/- 10% of the reported value, i.e. Phosphate reported as 47.5% may be 42.8 to 52.2%

Gayle E. O'Neill, Ph.d.
TEI Analytical, Inc.
Niles, Illinois

* PHOSPHATE	47.5%
* CALCIUM	25.3%
* SULFATE	11.00%
* POTASSIUM	3.69%
* SODIUM	1.12%
* CHLORIDE	1.00%
* SILICA	0.9%
* ALUMINUM OXIDE	0.72%
* MAGNESIUM	0.418%
* IRON OXIDE	0.118%
* ZINC	0.0342%
* TITANIUM Oxide	0.0260%
* BARIUM	0.0066%
* ANTIMONY	0.0035%
* CHROMIUM	0.0018%
* COPPER	0.0017%
* MANGANESE	0.0013%
* LEAD	0.0008%
* TIN	0.0005%
* VANADIUM	0.0002%
* BERYLLIUM	<0.0001%
* MERCURY	<0.00001%