



# City of Highland

## Building and Zoning

Combined Planning & Zoning Board  
Virtual Meeting Minutes  
March 3, 2021 7:00 P.M.

1. Call to Order – **7PM**
2. Roll Call –  
**CPZB Members – Present – Chairman Brad Korte, Bill Koehnemann, Anthony Walker, Shirley Lodes, Al Stoecklin and Bob Vance**  
**Staff – Present – Breann Speraneo, Chris Conrad, Mike McGinley, Mallord Hubbard and Kim Kilcauski**
3. General Business:  
Approval of the February 3, 2021 Minutes  
**A motion was made by Deanna Harlan to approve the February 3, 2021 meeting minutes as written and seconded by Al Stoecklin. 7 Ayes, 0 Nays. Motion approved.**
4. Public Comment Section  
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.  
**Chairman Korte opened the Public Comment Section regarding items not on the agenda at this time. Hearing none, Chairman Korte closed the Public Comment Section.**
5. Public Hearings and Items Listed on the Agenda  
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.  
**Chairman Korte reviewed the public hearing procedures. Chairman Korte asked if anyone was going to address the board. If so, then the individual should answer in the affirmative. Chairman Korte administered the oath to those guests in attendance wishing to address the board. Guests taking the oath included Mike Jascur, Karie Schuck, Nicki Alexander, Sally Rehberger and Jay Korte. Chairman Korte asked if there was anyone else. Hearing none, Chairman Korte moved on.**
6. New Business
  - a. Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL) is requesting variance to Section 90-223 Table 5.1 of the Municipal Code to decrease the minimum number of required parking spaces for an industrial use at 80 Executive Drive. (PIN# 02-2-18-32-00-000-031)  
**Chairman Korte opened the public hearing on Trouw Nutrition USA, LLC requesting a variance to Section 90-223 Table 5.1 of the Municipal Code to decrease the minimum number of required parking spaces for an industrial use at 80 Executive Drive. Breann Speraneo presented the item. Table 5.1 of the City of Highland Municipal Code states that wholesale, manufacturing, warehousing or other industrial use: 1 space for each 2 employees or 1 space**



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for each 1000 square feet of ground floor area, whichever is greater. She went through the Standards of Review for Variances. The need for a variance is the result of parking requirements for industrial uses. It is consistent. If a variance is not granted, the applicant will need to revise the site plan to add 22 parking spaces. It is the minimum deviation. The size of the proposed parking lot cannot accommodate 31 parking spaces. A variance is a more appropriate remedy than an amendment to the zoning code. The variance will not alter the essential character of the area. Breann Spereano added in the staff discussion that the request does meet the ratio of parking spaces per employee, but it does not meet the ratio of parking spaces per square foot. Staff believes the 9 requested parking spaces are sufficient for the site given that there will be enough parking spaces for employees at each shift, the facility is not open to the public, and there are other parking options nearby on Trouw Nutrition's campus. Breann Spereano asked if there were any questions for herself or the Trouw representative. Chairman Korte asked if anyone had any comments or questions. Hearing none, Chairman Korte closed the public hearing. He asked if staff had anything to add. Breann Spereano stated that there was not anything further. Chairman Korte asked for a motion to approve the variance from 33 to 9 parking spaces. A motion was made by Al Stoecklin and seconded by Bill Koehnemann. Chairman Korte asked if there was further discussion. Hearing none, he asked for a roll call vote. 6 Ayes. 1 Abstain. Motion approved.

- b. Trouw Nutrition USA, LLC (115 Executive Drive, Highland, IL) is requesting variance to Section 90-301 of the Municipal Code to waive the minimum landscaping requirements of one tree and two shrubs per 5,000 square feet of total lot area at 80 Executive Drive. (PIN# 02-2-18-32-00-000-031)

Chairman Korte opened the public hearing on Trouw Nutrition USA, LLC requesting a variance to Section 90-301 of the Municipal Code to waive the minimum landscaping requirements of one tree and two shrubs per 5,000 square feet of total lot area at 80 Executive Drive. Breann Spereano presented the item. Section 90-242 of the City of Highland Municipal Code states the minimum landscaping requirements shall be one tree and two shrubs per 5,000 square feet of total lot area, except in the central business district no landscaping shall be required. She went through the Standards of Review for Variances. The need for a variance is a result of the area not currently containing landscaping. This is also a feed-grade facility, in which the highest standard of cleanliness is necessary. Landscaping could attract pests to the site. It is consistent. If a variance is not granted, the applicant will be required to alter the site plan to adhere to landscaping requirements. This could pose a risk to the cleanliness required for the site's use. It is the minimum deviation. Landscaping is not common within this area. The feed-grade facility's needs are specific to this site. A variance is a more appropriate remedy than an amendment to the zoning code. The variance will not alter the essential character of the area. Breann Spereano added in the staff discussion that landscaping is not prevalent within this area, given that it is within a secluded industrial district. Staff recommends waiving the landscaping requirements, as they could jeopardize the clean environment that is needed for a feed-grade facility. Breann Spereano asked if there were any questions for herself or the Trouw representative. Chairman Korte asked if anyone had any comments or questions. Hearing none, Chairman Korte closed the public hearing. He asked if staff had anything to add. Breann Spereano stated that there was not anything further. Chairman Korte asked for a motion to approve the variance. A motion was made by Shirley Lodes and seconded by Bill



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**Koehnemann. Chairman Korte asked if there was further discussion. Hearing none, he asked for a roll call vote. 6 Ayes. 1 Abstain. Motion approved.**

- c. Mike Jascur (2130 Broadway, Highland, IL) on behalf of DD & SD Properties, LLC (11410 Hickory Flat Road, Highland, IL) is requesting to rezone 429 Walnut Street from C-2 Central Business District to Industrial. (PIN# 02-2-18-32-19-401-009)

**Chairman Korte opened the public hearing for Mike Jascur on behalf of DD & SD Properties, LLC requesting to rezone 429 Walnut Street from C-2 Central Business District to Industrial. Breann Speraneo presented the item. She stated that Mr. Jascur does have a contract to purchase the property. The zoning and future land use maps were shown. Pictures were shown of the former Speed Lube. Breann Speraneo stated that the facility is still set up to operate as such. The Comprehensive Plan and Future Land Use Map are considered policy guides to current and future development. While they do not have the force of an ordinance, it is generally recommended that municipalities adhere to the findings, policies, principals, and recommendations in these documents. Changes and deviations are permissible, but they should be reasonably justified. The subject property is denoted as “multifamily” on the Comprehensive Plan’s Future Land Use Map. This property is not best suited for multifamily purposes and an update will be considered at the time of the next Future Land Use Map update. Breann Speraneo presented the Standards of Review for Zoning Map Amendments and Findings of Fact. The property is currently a vacant building and is zoned C-2. The property to the North is a single-family residence/Pet Parlor and zoned C-2. The property to the South is Edgecliff Services and zoned Industrial. The property to the East is a single-family residence and zoned R-1-D. The property to the West is Highland Diner and zoned C-2. Nearby property will not be negatively affected. The area to the south is zoned Industrial and this area contains a variety of uses. C-2 is primarily for downtown commercial uses and, therefore, is not the most appropriate zoning classification. The property is suitable for an automotive service. This building was previously an automotive service. The proposed zoning goes with the character of the area. This area has a mixture of zoning districts, including Industrial. The proposed map amendment is consistent with the City’s Comprehensive Plan. There would not be a negative effect on public utilities, other needed public services and traffic circulation on nearby streets. The map amendment will promote the health, safety, quality of life, comfort and general welfare of the city. Breann Spereano added in the staff discussion that this property was originally an automotive service, which is a legal nonconforming use in the C-2 district. The legal nonconforming status use has expired since the use has been discontinued for over a year. Given that this property was an automotive service before, staff supports this rezoning and agrees that rezoning this property is the most appropriate way to allow for an automotive service to operate at this location again. Given that this area consists of a mixture of commercial uses and industrial uses, staff believes that rezoning to allow for an automotive service to operate on the property is appropriate. Breann Speraneo asked if there were any questions for herself or the applicant. Chairman Korte asked if anyone had any comments or questions. Hearing none, Chairman Korte closed the public hearing. He asked if staff had anything to add. Breann Speraneo stated that there was not anything further. Chairman Korte asked for a motion to approve the rezoning request. A motion was made by Deanna Harlan and seconded by Anthony Walker. Chairman**



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**Korte asked if there was further discussion. Hearing none, he asked for a roll call vote. 7 Ayes. Motion approved.**

- d. **Karie Schuck (2003 Zschokke Street, Highland, IL) is requesting a text amendment to Table 3.1.B of the Municipal Code to allow for “Pet Care and Pet Related Sales and Service” as a Special Use within the C-2 central business district.**

**Chairman Korte opened the public hearing for Karie Schuck’s requested text amendment to Table 3.1.B of the Municipal Code to allow for “Pet Care and Pet Related Sales and Service” as a Special Use within the C-2 central business district. Breann Speraneo presented the item. She stated that the text amendment is proposing a Pet Care and Pet Related Sales and Service as a Special Use within the C-2 central business district. It is currently allowed in the Industrial and MX districts, so the C-2 Special use would be the only change. Breann Spereano added in the staff discussion that the text amendment is proposed in order to allow for a dog training business at 708 Laurel Street. The property is currently zoned C-2, so the applicant’s options were to apply for a rezoning or to apply for a text amendment to allow for “pet care and pet related sales and service” as a Special Use within the C-2 district. The applicant was advised that applying for a rezoning to Industrial or MX would create spot zoning amongst other zoning concerns and, therefore, is not recommended. Applying for a text amendment to allow for “pet care and pet related sales and service” as a Special Use within the C-2 central business district is the alternative course of action. This text amendment would be integrated into the Zoning Code and allow property owners within the C-2 central business districts to apply for Special Use Permits for “pet care and pet related sales and service.” While each Special Use application would be reviewed individually, staff generally considers this use to be most appropriate within the Industrial and MX districts. Breann Speraneo stated that both she and the applicant were on the phone if anyone has any questions. She added that this is for the general text amendment and not the special use for this specific site. Chairman Korte asked if there were comments or questions. Sally Rehberger said that she had a question. She said that she was under the understanding that this was a dog training request. She asked if that was correct. Chairman Korte said that was correct and continued that the item on the agenda right now was to allow for a special use permit in the C-2 district. He said that if she would like to speak to it in that direction then that would be fine. Chairman Korte advise that if she would like to speak to the business itself, then that would be the next item coming up. Sally Rehberger continued saying she is opposed to the text amendment saying that she is a neighbor living there 20 years, some neighbors living their entire lives in their houses and they are opposed to it. Breann Speraneo noted that any comments received will be read during the discussion of the next item for the special use at the specific property there will be the opportunity for discussion. Sally Rehberger stated that the current item to allow for a text amendment was something that she is opposed to. Chairman Korte asked if there were further comments or questions. Bill Koehnemann said that as a neighbor he said no to it as well. Chairman Korte said that he wanted the applicant to have the understanding of what is going on with the text amendment. He asked the applicant if they had an understanding with what this does and how things work with a text amendment. Karie Schuck responded that they did have a meeting with Breann Speraneo, Chris Conrad and a couple of council women. Chairman Korte said that this is a serious and high gravity item. He continued by saying that the text amendment proposed affects several. He asked Breann Speraneo to show the zoning map. Chairman Korte pointed out the color code for the C-2 business districts, which is bright**



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red, and then noted all of the red areas on the map. He said the text amendment if approved would affect every property owner highlighted in red and that is a lot. Chairman Korte stated the problem that he has with the amendment is that there is no representation of those people at this meeting. He continued that to take something like this forward in one session, in one meeting that affects so many people while legal and allowed is representing the people of Highland very poorly and seems like a knee jerk decision. Chairman Korte said that one property owner spoke already. He said the amendment would allow for special use permits, but then to turn special use applications down would require extensive circumstances. Chairman Korte also asked for the zoning matrix to be shown. He noted that on the far left, R-1-A is the most restrictive zoning code. He went on to say that if you look at the other side which is M, MX and Industrial that those are the least restrictive. Chairman Korte said to pull something like this out of Industrial and skip over two levels of restrictions so to speak and jump that far into a more restrictive zoning code is unfair to the people in C-2 and it is in Industrial for a good reason. He continued that the zoning districts have been in effect a long time and if you go to other cities, then you will more than likely find similar things. Chairman Korte said that he has a hard time looking at this knowing it would affect a lot of people in one meeting and one quick little vote. Karie Schuck said that they have done research and Double J is also in a C-2 district doing a similar thing. Chairman Korte said that he cannot speak to someone violating their district right now. Karie asked how they could start a business without following the code. Chairman Korte stated that he didn't know if their business was the same or not. He said that he knows that what was presented at the time had apparently been okay. He said he does not know if anything has changed. Chairman Korte continued that he has to look at what is being asked for in front of the board today. Karie Schuck stated that they will do more research. Chairman Korte said that you can do anything indoors in C-2 with regards to pet care. Karie Schuck added that Double J uses outdoors as well with the Doggie Daycare. Chairman Korte asked if there were any other questions or comments. Deanna Harlan said that her concern was similar to Chairman Korte's. She said if you look at the C-2 district and the text amendment is approved then the use would be appropriate in some areas, but it doesn't apply across the entire zone. She said that she struggles making amendments to the zoning to allow this. Chairman Korte asked if there were any other questions or comments. Hearing none, Chairman Korte closed the public hearing. He asked if staff had anything to add. Breann Speraneo stated that there was not anything further. Chairman Korte asked for a motion to approve the text amendment. A motion was made by Anthony Walker and seconded by Bob Vance. Chairman Korte asked if there was further discussion. Hearing none, he asked for a roll call vote. 6 Nays. 1 Abstain. Motion does not pass. Chairman Korte added that the request was unusual especially something that hits city wide and is better served in a different manner. Chairman Korte noted that the request for text amendment and the request for special use will be passed on further to the council, so both items are addressed in respect to that.

- e. Zen Paws LLC (1513 Broadway, Highland, IL), on behalf of Karie Schuck (2003 Zschokke Street, Highland, IL), is requesting a Special Use Permit for a dog training service within the C-2 central business district at 708 Laurel Street. (PIN# 02-2-18-32-19-403-004)

**Chairman Korte opened the public hearing on Zen Paws LLC on behalf of Karie Schuck is requesting a Special Use Permit for a dog training service within the C-2 central business**



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district at 708 Laurel Street. Breann Speraneo presented the item. She shared site photos of the property. The zoning matrix identifies “pet care and pet related sales and service” as a Special Use within the C-2 central business district. This petition is only valid if the proposed text amendment allowing for “pet care and pet related sales and service” within the C-2 district is passed by City Council; however, CPZB will hear both items. The Comprehensive Plan Consideration includes the subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. “Pet care and pet related sales and service” is not generally an appropriate Special Use for the downtown area, although each proposal should be individually considered. The surrounding uses are all zoned C-2. There are businesses to the North and West. Single-family homes are to the South and East. Breann Speraneo went through the Standards of Review for Special Use Permits. This area is classified as “downtown” on the Comprehensive Plan’s Future Land Use Map. A dog training business is not traditionally considered to be a downtown use. The proposed Special Use would not have an adverse effect on public utilities or traffic circulation on nearby streets. The proposed Special Use will adequately protect the public health, safety and welfare. The physical environment will be protected so long as all elements of the dog training business (noise, traffic, etc.) are secured within the property’s premises. The proposed Special Use will not have a detrimental impact on the value of neighboring property or on the City’s overall tax base. The proposed Special Use will utilize public utilities. There are no facilities nearby that require special protection. Breann Speraneo continued with the staff discussion stating that “Pet care and pet related sales and service” businesses are allowed outright in the Industrial and MX districts, as such businesses often result in noise and outdoor use of space. Businesses within the C-2 central business district are typically solely indoors with minimal noise levels. Therefore, staff believes the Industrial and MX districts to be the most appropriate districts for a dog training business. In order for a dog training business to be considered as a Special Use within the C-2 district, factors such as fencing, parking, noise buffers, hours of business, and surrounding uses should be considered. Breann Speraneo asked if there were any questions for her or the applicant. Chairman Korte asked if the applicant could give a description of how the business would operate. Nicki Alexander stated that she would be offering day training which she would limit to three to five dogs per day. She said people would drop off their dogs and she would work with the dogs throughout the day. Nicki Alexander said the dogs would be picked up in the afternoon or early evening. She noted that she would be meeting with the clients once or twice a week to review the training that had been done with their dogs throughout the day. Nicki Alexander added that the business hours would be 7:30 or 8AM to 5 or 6PM depending upon appointments. Chairman Korte asked how much square feet would be devoted to the business. Nicki Alexander replied that it would be the bottom level of the building. Chairman Korte asked about the exterior. Nicki Alexander responded that there would be a fence in the back yard. Chairman Korte asked if there were any further questions or comments. Breann Speraneo stated that a few comments had been received online and asked that Kim Kilcauski read the comments. The first comment was from Victoria Norton received on February 12, 2021. Victoria Norton wrote, “Hello, I live at 721 Laurel St. I was wondering if it would be possible to transfer the street parking to the even side of the street since there are very few places to park for the two new businesses. I’ve had several instances where cars are parked too close to my driveway and I’ve had trouble getting out.” Nicki Alexander responded that the dogs would be dropped off in the





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morning and picked up later except when she meets with their owners. She said that the parking lot would not be full all day long and she would not be utilizing street parking. Greg Schlegel emailed comments on February 28, 2021. Mr. Schlegel wrote, "For the record I really don't think it is mine or anyone else's place to tell someone how or where they can earn a living. On the other hand I have always thought business and residential districts should be separated. Playing children and traffic have never been a good combination as far as I'm concerned. Laurel Street has way to much traffic as it is therefore I would rather not have another business as a neighbor." On February 25, 2021, Sally Rehberger emailed, "I do not want a dog training facility across the street from me. First of all, there's a lot of traffic and parking problems on Laurel St. now without adding more problems. Also I don't want to hear dogs barking night and day and it will upset my neighbors' dogs too. There's no room I can see to even have a dog training facility?!! So my vote is No Dog Training Facility!! None of my neighbors I've discussed this with want it. We already have Napa employees parking in front of our homes and their trucks coming all night disturbing our sleep and peace. We don't need any more congestion or disturbance of our peace and neighborhood. We've reached the limit already on issues like this. Please do not approve this!! Thank you." On March 2, 2021, Ms. Rehberger emailed, "I forgot to mention having that dog facility in our neighborhood will also bring our property values down, a big draw back for everyone in this neighborhood. I think that outweighs any positives with the negative." On March 3, 2021, Ms. Rehberger added with an email, "I ask those voting how they would like a dog training facility across the street from them, within 250 ft!! I'm sure most people who own homes and want peace in their lives would not like it. Neither do we!! Plus bad for property values, xtra bad!! This needs to be stopped." Bill Koehnemann at 703 Laurel Street stated that there is room for parking because there are four businesses parking on Laurel St. including Keith's Automotive, the auto parts store, Schuck's and the eye doctor up the street. He continued that his driveway gets blocked every day and then he has to leave a car out front so cars don't park so close that he can't back out of his driveway. Bill Koehnemann said that he doesn't think that a dog training business is needed to add to the parking problems. He said they do not have parking onsite for the business that there is only three spaces in front of the building, one on the side and there were two spaces in the back of the building for tenants. He said a dog pen in back would eliminate the two spaces in back leaving four spaces for two businesses and that is not enough. Nicki Alexander stated that there would not be any parking eliminated in the back. She added that the grass area behind the building would be fenced in and not the parking lot or the driveway. Chairman Korte asked if there were further questions or comments. Sally Rehberger commented that if you have five dogs a day then the owners have to park their cars somewhere to take the dogs in, they have to park to pick the dogs up and there is no parking available. She said that she looked out today and her sister had to park in the alley and she held up traffic. Ms. Rehberger said that she told her sister that she had to move her car because the neighbor behind her was mad, but there was no place to park. She said family and friends can't come over because the parking spots are taken. She continued that they do not want more parking problems for all the reasons previously mentioned. Ms. Rehberger said that it is a residential neighborhood, the houses are taken care of, and we want the neighborhood to be nice. She added that she is hoping and praying that this will not be passed. Chairman Korte asked if there were further questions or comments. Deanna Harlan asked how many employees are at the massage business. Karie Schuck responded that there



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are four. Deanna Harlan asked where they parked. Karie responded that she parks all the way up front. She said that the employees are not always there at the same time, but perhaps once or twice a week. She added that the other two park on the middle way in between the buildings. Deanna Harlan said that looking at the property she was struggling to figure out where the parking lot was in back. She said that other than the long driveway. Karie Schuck noted that there is parking in front that holds three cars easily. Karie Schuck added that the area behind the building will be rocked this Spring so more people can park back there. She also said that parking on the Schuck side would also still be available. Karie Schuck says that they tell their clients not to park on the street, but they don't necessarily pay attention and do not mean to do it. Deanna Harlan said that you can tell people whatever you want, but they are going to park where it is easier for them to get in and out and feel safe. Karie Schuck added that everyone just needs to work together and not be at each other. Deanna Harlan stated that there have been issues with parking in the exact area for years and now we are adding additional businesses and she is unsure how anything else can be squeezed into that little area of the city. Karie Schuck extended an invitation to come by. Deanna Harlan replied that she had driven the property. She said that parking is the primary struggle. Karie Schuck said that four people could park in the back easily. Deanna Harlan said to the resident's point if they need to get in or out of the driveway at the same time clients or dropping off or picking up dogs or if they had a visitor that couldn't park, then they would not like that. Deanna Harlan also noted that adding up to five dogs at that spot may not be appropriate even with a good business plan. Chairman Korte asked if there were further questions or comments. Chairman Korte said that he was looking at an overhead view of the property. He asked the applicant to verify that she said four cars would fit behind the building. Karie Schuck said that was not correct. She said that they are planning to rock this Spring between Schuck's and Keith's to fit two more cars back there for four to five total in the back. Chairman Korte asked if they would be parked two deep. Karie Schuck responded that there would be one on each side, two directly behind Schuck's, one to the right of Schuck's, in between the two there can be three to four parking back there. Chairman Korte asked the square feet of the grass area. Neither Nicki Alexander nor Karie Schuck need the answer. . Chairman Korte asked if there were further questions or comments. Hearing none, Chairman Korte closed the public hearing. He asked if staff had anything to add. Breann Speraneo stated that there was not anything further. Chairman Korte asked for a motion to approve the special use permit. A motion was made by Deanna Harlan and seconded by Anthony Walker. Chairman Korte asked if there was further discussion. Anthony Walker said that he liked the idea of the business, but he agrees with Deanna Harlan that this doesn't feel like the right spot. Chariman Korte added that this is the reason that there are special use permits so people can't do what they want wherever they want. He continued that this type of business would have a very good chance of being successful; however, the mixture of the neighborhood and proximity of residences to this type of business is concerning. He said that at one time he was a day sleeper or even at night with neighbors having dogs it is a concern for the neighbors of this type of business. Chairman Korte went on to say that the parking issues are another concern and he agrees with Deanna Harlan regarding parking in that area. He said that the opportunity is not a good situation. Chairman Korte asked if there was further discussion. Hearing none, he asked for a roll call vote. 5 Nays. 2 Abstain. Motion does not pass.





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**Chairman Korte stated that the request for the text amendment and the request for the special use will be heard at the next council meeting which will be held on March 15, 2021. Breann Sperano added that it will be in person at 7PM.**

7. Calendar

a. April 7, 2021– Combined Planning and Zoning Board Meeting

**Breann Speraneo stated that there would be an April meeting and the meeting will be in person.**

b. Adjournment

**A motion was made to adjourn by Bill Koehnemann. Meeting adjourned at 7:58PM.**

***NOTICE:*** *The March 3, 2021 CPZB meeting at 7:00pm will be conducted virtually. To monitor the meeting, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to [kkilcauski@highlandil.gov](mailto:kkilcauski@highlandil.gov) or submit it through our Citizen Request portal on our website.*

*Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Speraneo, ADA Coordinator, at 618-654-7115.*