

**MINUTES OF REGULAR SESSION  
HIGHLAND CITY COUNCIL  
MONDAY, APRIL 19, 2021**

Mayor Hemann called the Regular Session to order at 7:00pm. Council members Sloan, Frey, Bellm and Hipskind were present. Others in attendance were Interim City Manager Conrad, City Attorney Michael McGinley, Directors Cook, Gillespie, Imming, Kim, Korte, Rosen, Slover, and Speraneo, Coordinator Hubbard, Police Chief Becherer, Fire/EMS Chief Wilson, Deputy City Clerk Hediger, City Clerk Bellm, and 15 citizens.

**MINUTES**

Councilman Frey made a motion to approve the minutes of the April 5, 2021 Regular Session as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

**SWEARING IN**

Mayor Hemann swore in new Highland Police Department Patrol Officer Megan Grotendorf.

**PUBLIC HEARING**

Mayor Hemann opened the public hearing to receive comments on final adoption of the Budget for the 2021-2022 Fiscal Year. Due to this meeting being conducted, in part, via phone conference, as part of COVID-19 response, the public was instructed with publication of the agenda that they could submit comment via phone in to Deputy City Clerk Lana Hediger at 618-654-9892 Extension 1481 prior to the close of the public hearing or email lhediger@highlandil.gov prior to the close of the public hearing. Deputy City Clerk Hediger reported no comments were received. Hearing no one wishing to comment, on the phone line or in person, Mayor Hemann closed the public hearing at 7:05pm.

**PROCLAMATION**

Mayor Hemann read a document proclaiming Saturday, April 30, 2021 Arbor Day in Highland.

**PUBLIC FORUM**

Citizens' Requests and Comments:

*Highland Primary Second Grade Visits the Square* – Angela Kim, Latzer Library Director, spoke on behalf of project organizers for this item and the next, as they are both being held in conjunction with the library. She stated the library is doing this with the school to promote the summer reading program. They are requesting permission to hold a Story Walk on Thursday, April 22 and Friday, April 23, 2021 in conjunction with the Highland Primary for the second graders. For the event, we are requesting use of the Square, with setup beginning about 7:00am and the event running from 8:00am-4:00pm each day. Councilwoman Bellm made a motion to approve use of the Square on April 22 and 23, for the Highland

Primary and Latzer Library to hold a Story Walk, as requested; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

*Highland Music School String Recital and Instrument Petting Zoo* – Councilwoman Bellm made a motion to approve use of the Square on Thursday, May 27, 2021, 5:30pm – 7:30pm, for Highland Music School String Recital and Instrument Petting Zoo, as requested; seconded by Councilman Frey. Councilwoman Bellm inquired what an instrument petting zoo is. Director Angela Kim stated I believe it is allowing children and adults to touch and pet the instruments. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Karen Mason, 1404 Zschokke Street, stated she is here to speak regarding Items O & P on the agenda, and speaking for the whole neighborhood. The neighborhood is not appropriate for this type of use. If this passes, we feel there is a need for it to be reevaluated at a specific point and time, and if there is a change in lease agreement. If passing, the neighbors demand that there be signage that pets and children are present. In light of Mr. Maggio's failure to get approval before doing this and that he still continues to do short-term rental without proper approval, we will not hesitate to call the police with any infractions we see, so that they are on the record. This is not the neighborhood to have this. I have used short-term rentals when on vacation. Councilman Hipskind inquired how many neighbors you are speaking for. Mrs. Mason replied there are probably twenty residents that I am speaking for. Councilwoman Bellm acknowledged several neighbors did speak at the planning and zoning meeting. Councilwoman Sloan asked are you aware there is one of these in town. Mrs. Mason stated she was. That one has an enclosed backyard and patio area. In our area, there is not room for five cars to park along the street. There is only parking on one-side of the street. Councilwoman Sloan stated where the other one is located the parking is one-side of the street only, too.

Sara Knobloch stated I live one block over, 1403 Pine Street. I have four of the twenty children in that area. The same block that this property is at, as had some issues with people jumping the fences and going through backyards. It makes me nervous as to who is going to be the person in that house that night. No one knows.

Miles Maggio stated I represent my guests and the property owner, Marge Donnelly, who has the right to use this property for this purpose, provide it will not cause a substantial adverse impact on the use, enjoyment, or property values of adjoining properties, or have an adverse effect upon the public health, welfare, or safety of the community. I can provide any documentation to this and have a packet prepared for each of the council members, which I would like to provide at this time. (A packet was provide to each of the council members.)

Mr. Maggio explained my safety and security systems are designed to be effective in their proactive measures to prevent issues before they arise. The noise-level, smoke detector, and crowd detect monitoring system alerts Kingdom Stays if noise levels go above 70 dBs decibels), to prevent disturbances. The alert system goes directly to my smartphone and is always on. I monitor the systems closely, so communication can be made before the noise levels get out of control. If communication is not made, I can contact Marge Donnelly, who lives four minutes away. Audio and visual cameras are installed to secure the outside of the property and the activities going on. These alerts also go to my phone. Rental is \$94.00 on average for a nightly stay. Some have seen the front-page display price on the direct booking website, of \$40 a night, which was a default setting. Most guests are accepted through other channels, such as Airbnb and booking.com that automatically update the listing display price. Guests must first submit a government-issued ID and be verified on the platforms before staying with Kingdom Stays. Kingdom Stays utilizes a platform that determines if guests are suitable for short-term stay with additional information requirements such as, age and number of guests. In addition, each guest must sign that they have read and understand the house rules, which are included in Appendix E, at the

back of the packet provided. Following a series of questions, guests are accepted or declined. Accepted guests are sent expectations ahead of time and required to submit a form with their full information, including reason for reservation; names of individual guests with their genders and birthdates; phone number; email; permanent address; and, vehicle year, make, model, color and license plate numbers, prior to receiving property access information.

Mr. Maggio pointed out that VRBO, Airbnb, and social media are not good or bad, but driven by people who make decisions that result in good or bad outcomes. Airbnb, for example, has over 6.1M listings and is still growing. There is always a risk. Worst-case scenarios that do exist with the law of large numbers, but it is all relative to how people utilize the vehicle. We cannot speculate on what a short-term rental could do, but need to look at what they already are doing in the community with the current checks and balances in place. Kingdom Stays has reached out to neighbors to try to answer any questions or concerns. We will continue to do so. We understand the neighbors' safety and value of their property is important in making this successful. Marge Donnelly lives nearby; she has agreed to address anything that needs immediate in-person attention for this property.

The report card and track record of Kingdom Stays: There was only two cases in the 525+ reservations made by Kingdom Stays, where I needed to reach out to the guests and stop an attempt at a party. None of these resulted in complaints by neighbors or to the police. Three neighbors – two in adjacent homes – have spoken independently about this and they have no issues. These neighbors fully support the short-term rental. This is Page 5. We do not want disclose names to the public. Joshua Tree, the neighbor of the home in Caseyville, said, 'I can personally say I have had no issues with you or any of your guests/tenants at any point. No noise issues, no property issues, or anything to complain about.' Neighbor recently said they were not notified of this. As noted in the bullet on Page 4, I have reached out to surrounding neighbors, answering questions and concerns, dropping off contact information, chocolates and gift certificates. I have not had anyone reach out and voice any concerns. It is clear to me this new endeavor is under close scrutiny by neighbors who like to talk to each other, good or bad. If we had a specific example of 'cause of adverse impact on adjoining properties', we would have addressed it immediately. On April 7, there were zero relevant claims presented at the Building & Zoning Board meeting, as it relates to this short-term rental. Councilman Hipskind noted I heard six people came up expressing concerns, at that meeting. Mr. Maggio acknowledge, yes, that is correct. They spoke, but had no specific example of anything that would cause an adverse impact. Mayor Hemann reported those speaking expressed concern about limited parking and the house itself, with regards to heating and water concerns. Mr. Maggio reported there are three parking spaces behind the house. With no more than five cars allowed, two would be forced to park on the street. As far as the home, Jennifer, the long-term tenant, spoke terrible about the heating and the water. It really is not that bad. I would not be using it as short-term rental at this time. Marge has decided not to rent to long-term tenants in the upstairs. Mayor Hemann clarified you are not going to rent upstairs out. Mr. Maggio responded we are not going to rent that until it is allowed for short-term accommodations, after renovations. Councilman Frey inquired this house is currently being rented. Mr. Miles replied yes. Councilman Frey asked are there others? Mr. Maggio replied no. Councilman Frey asked it has been inspected. Mr. Maggio replied yes. Building & Zoning Director Speraneo reported both have been inspected as a standard rental unit. If this were approved for special use permit, then it would be inspected on an annual basis. Mr. Maggio pointed out, it could still be a long-term rental, but Marge has committed the upstairs for renovation and then to apply for short-term rental for that unit as well. Mayor Hemann stated I realize you have a lot of technology being used to monitor the property. How are any issues handled? Mr. Maggio explained Marge has committed to being rapid response to address whatever concerns. Over the 1200 nightly stays, I have only had a handful of issues. Councilwoman Bellm inquired, if this was a rental unit, why would you want to change it to a short-term rental. Mr. Maggio responded we have found that those traveling to Highland want the home accommodations rather than hotel stays when traveling. Marge and I do have a financial incentive to rent. She wants to generate more revenue to invest into the property. This is the

future of travel. Councilman Hipskind noted, it says, on Page 4, Bullet #2, that Kingdom Stays has reached out to neighbors to fix issues. These ladies came up and expressed some issues. What have you done to address their concerns? Mr. Maggio responded I have not received specific re-actionable items to address. The neighbors that came to Building & Zoning expressed concerns in general. I gave out 3-4 packets to immediate neighbors with my contact. Councilman Hipskind pointed out you initially said 'no legitimate complaints.' Now, you are saying there is nothing actionable. Are you going to address them or are you going to avoid them because you feel they are not legitimate? Why do you not consider their concerns legitimate? Mr. Maggio stated the concerns they expressed are not relevant. Councilman Hipskind pointed out these ladies have concerns and they are saying other neighbors have the same concerns. You seem to be dismissing them as non-actionable. That concerns me. Mr. Maggio responded there has been zero incidents. Councilman Hipskind pointed out, if we approve this, Page 4, Bullet #2 it says you will continue to address questions and issues, but it seems you are being dismissive of their concerns already. Mr. Maggio responded I am sorry if I am coming off as dismissive. Councilman Hipskind asked what you have done to address them. Mr. Maggio replied they have not given a specific item that is actionable. For example, if guests were too loud. I would address that. The board does not allow this forever. If property owner changes then it is reviewed. The permit renews each year. As far as the request for signage for parking, that is against sign permits for the area. Director Speraneo confirmed signage is not allowed for short-term rental. She clarified special use permit do not renew on an annual basis, it would remain unless the ownership of the property changes. Councilwoman Sloan inquired how many tenants have been. Mr. Maggio replied seven. Councilwoman Sloan asked has there been any complaints from neighbors regarding parking or anything else. Mr. Maggio replied no. As stated on Page 5, Bullet #2, zero neighbors that I have spoken with have had issues. Three expressed full support. The website allows for contact me of any issues.

Marge Donnelly, property owner, stated I think that Miles has been very astute in his security of the surrounding area, the apartment, and the process that he goes through to screen the tenants. The neighbors to the north have some children and they actually played with the children that stayed at the home. I was not aware of the concerns neighbors have. Parking is not fine on Zschokke Street, but there is parking in the back. There are different areas of Zschokke Street for parking. As far as the heat in the upstairs, Jennifer and David stayed in the unit upstairs for ten years, without any complaints. Miles offered to put in a new thermostat to regulate it, but they refused. The water pressure is down, as it is an old home. I will fix that before we apply for short-term rental. It may be expensive to fix it, but I will do it. I will do whatever to fix what Building & Zoning is concerned about. In retrospect, I believe with Miles' camera system and the noise monitoring, it is good. He can address any issues before it gets out of hand. This is the future of Highland. This is the future of travel. This could be the beginning of something big. These are people that want to stay in homes. This is something new. Highland could be a refuge for people to stay. There are the parks to play, the Square, the little shops, are all opportunities. There will probably be more. With Miles and his website, more people will be coming in. The more people and money that comes into my house, the more renovations I can do to the home. I can assure you that every consideration and concern brought to Miles and I will be addressed. Councilwoman Sloan expressed I have used VRBO and Airbnb. I do think this is something definitely needed. I do not see the issue with parking. There is one of these on Sixth Street and they have no off-street parking. The screening process for this seems more than adequate.

Sarah Knobloch, 1403 Pine Street, stated I live within 100 feet of this property. I have not been contacted by any of these folks. I love Highland, too. I was raised here; married here; have my kids here; and, own my home here. I have stayed at an Airbnb. However, he does not know these people.

Requests of Council:

Councilwoman Bellm reminded everyone that the Illinois Trekkers will be holding their Volksmarch on May 1, here in Highland. They have arranged for use of restrooms at MotoMart and other places, as we will not have the restrooms on the Square ready for use.

Some people have expressed concerns about the speed limit and traffic issues at Route 143, approaching Silver Lake. Chief Becherer stated he is aware of the concerns. The speed monitor is currently collecting data on Lindenthal. I have advised officers to be seen more in that area, and we will move it to that area next.

Councilman Hipskind stated I do not know how many have heard, but the Illinois Attorney General's Office was cyber attacked this past week. Their offices are still down. I want to commend HCS for their security efforts. I reviewed the budget, but did not see anything for funding for security measures. These groups are going after municipalities for these cyber-attacks. Director Angela Imming reported IT handles the security for all the departments. The budget for IT is in a shared format over all departments. There is money earmarked from all departments to go into the security testing. We could go over our security posture in a private setting. We are very aware of the state sponsored cyber security terrorists. Councilman Hipskind reported their entire system was completely wiped out. Clinton County paid the ransom, but never got their data back. Director Imming reported the City of Alton chose to just start over. Mayor Hemann agreed it is something we should talk about. City Manager Conrad stated staff could prepare something for an executive session. Angela has been beating directors over the head with things we need to be doing for security purposes. Recently, it has become a big issue, and the directors have been responding.

Staff Reports:

No additional items at this time.

**NEW BUSINESS**

Approve Mayor's Reappointment of Darren Twyford to the Police Pension Board - Councilwoman Bellm made a motion to approve the mayor's reappointment of Darren Twyford to the Police Pension Board, for another two-year term, to expire May 1, 2023 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-45/ORDINANCE Amending Fiscal Year 2020-2021 Budget – Councilman Frey made a motion to approve Bill #21-45/Ordinance #3093 amending Fiscal Year 2020-2021 Budget as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-46/ORDINANCE Adopting the Financial Budget of the City for the Fiscal Year Beginning May 1, 2021, and Ending April 30, 2022, and Authorizing the Expenditures Therein Contained – Councilwoman Bellm made a motion to approve Bill #21-46/Ordinance #3094 adopting the financial budget of the city for the fiscal year beginning May 1, 2021, and ending April 30, 2022, and authorizing the expenditures therein contained as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-47/RESOLUTION Accepting a Proposal for Underwriting; Selecting an Underwriter in Connection with the Proposed Issuance by the City of its General Obligation Sewerage System Refunding Bonds (Alternate Revenue Source), Series 2021; and Acknowledging Certain Disclosures Pursuant to

MSRB Rule G-17 – Councilman Frey made a motion to approve Bill #21-47/Resolution #21-04-2810 accepting a proposal for underwriting; selecting an underwriter in connection with the proposed issuance by the City of its General Obligation Sewerage System Refunding Bonds (Alternate Revenue Source), Series 2021; and acknowledging certain disclosures pursuant to MSRB Rule G-17 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-48/ORDINANCE Amending Chapter 78 – Utilities, Article II – Electric Service Regulations, Division 3 – Billing and Rates, Section 78-56 – Streetlights and Dusk-to-Dawn Rental Lights, and Section 78-112 – Schedule of Electric Rates, of the Highland Municipal Code, to Adjust the Electric Rates Charged by the Department of Light & Power – Councilwoman Bellm made a motion to approve Bill #21-48/Ordinance #3095 amending Chapter 78 – Utilities, Article II – Electric Service Regulations, Division 3 – Billing and Rates, Section 78-56 – Streetlights and Dusk-to-Dawn Rental Lights, and Section 78-112 – Schedule of Electric Rates, of the Highland Municipal Code, to adjust the electric rates charged by the Department of Light & Power as attached; seconded by Councilman Frey. Councilwoman Bellm pointed out we have not raised rates in five years. Director Dan Cook acknowledged, yes, and we did not raise it as much as we needed to at that time. This impacts all 6,600 meters, which is about \$1.60 per year, if all was the same. Keep in mind at it will cost businesses more than homes. Councilwoman Bellm asked does this make us whole. Director Cook replied, not whole. But, it keeps us sustainable. We did have a tornado cut through, a few weeks ago. To have power restored within twenty-four hours, is something. As citizens, they own this company, and any rate increases impacts council members as much as any of the citizens. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-49/ORDINANCE Authorizing TJO Holdings, LLC to Sublet City’s Property to the Saint Louis Brewery LLC According to an Existing Lease, and Granting a Right of First Option to Saint Louis Brewery LLC to Lease City’s Property – Councilman Frey made a motion to approve Bill #21-49/Ordinance #3096 authorizing TJO Holdings, LLC to sublet city’s property to the Saint Louis Brewery LLC according to an existing lease, and granting a right of first option to Saint Louis Brewery LLC to lease city’s property as attached; seconded by Councilwoman Bellm. Councilwoman Sloan inquired to Director Speraneo: We have not seen an actual layout from them yet. Is there going to be a distinguished barrier between our park and their patio? Can people go between the patio and the park? Director Breann Speraneo reported people would be able to take the stairs or ramp of the patio to access the park. Councilwoman Sloan asked will use our city restrooms. Director Speraneo replied they can, but they would have their own restrooms. Councilwoman Sloan inquired, let’s say Joe had his fair share and then goes down the stairs and falls in our city park over something. What happens? City Attorney McGinley advised the people operating the patio would have liability insurance and dram shop insurance. We also have liability insurance for any of our parks. The facts of the incidents in any case will need to present themselves. The people utilizing that area can access our park just as easily as anyone else can. Councilwoman Sloan who is to say they don’t grab a glass of something, then go into the park, and leave the glass and other trash on the picnic tables or benches. Attorney McGinley reported that was discussed in length. It is in their (the business’) best interest to maintain the area. Councilwoman Bellm inquired the park has specific hours and the restrooms will be open only during those hours or for special events. City Manager Conrad replied, yes, we will be adding cameras to our system for that area. We could actually put timer locks on the restrooms to control access. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-50/RESOLUTION Approving Preliminary Plat for Plaza Park at 911 Main Street and 913 Main Street – Councilwoman Bellm made a motion to approve Bill #21-50/Resolution #21-04-2811 approving preliminary plat for Plaza Park at 911 Main Street and 913 Main Street as attached; seconded

by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-51/RESOLUTION Approving the Final Plat of Plaza Park at 911 Main Street and 913 Main Street – Councilman Frey made a motion to approve Bill #21-51/Resolution #21-04-2812 approving the final plat of Plaza Park at 911 Main Street and 913 Main Street as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-52/ORDINANCE Amending the Code of Ordinances, Chapter 90, Article III, Districts & Zoning Map, 90-201, Table 3.1.A to Correct a Scrivener’s Error – Councilwoman Bellm made a motion to approve Bill #21-52/Ordinance #3097 amending the Code of Ordinances, Chapter 90, Article III, Districts & Zoning Map, 90-201, Table 3.1.A to correct a scrivener’s error as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-53/ORDINANCE Approving and Authorizing the City Manager to Execute a Development Agreement for a Project in TIF Number 1 Project Area with Trouw Nutrition USA, LLC, and Other Actions Related – Councilman Frey made a motion to approve Bill #21-53/Ordinance #3098 approving and authorizing the City Manager to execute a development agreement for a project in TIF Number 1 Project Area with Trouw Nutrition USA, LLC, and other actions related as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-54/ORDINANCE Approving and Authorizing the City Manager to Execute an Economic Development Agreement Pursuant to 65 ILCS 5/8-1-2.5, with Trouw Nutrition USA, LLC, and other Actions Related – Councilwoman Bellm made a motion to approve Bill #21-54/Ordinance #3099 approving and authorizing the city manager to execute an economic development agreement pursuant to 65 ILCS 5/8-1-2.5, with Trouw Nutrition USA, LLC, and other actions related as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-55/RESOLUTION Authorizing and Directing Application to the 2020 Transportation Alternatives Program for Funding Assistance to Improve Matter Drive and Executive Drive in Highland, Illinois to Accommodate Heavy Equipment and Tractor-Trailer Traffic – Councilman Frey made a motion to approve Bill #21-55/Resolution #21-04-2813 authorizing and directing application to the 2020 Transportation Alternatives Program for funding assistance to improve Matter Drive and Executive Drive in Highland, Illinois to accommodate heavy equipment and tractor-trailer traffic as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-56/ORDINANCE Authorizing “Business District A” Commercial Building Facade Improvement Program – Councilwoman Bellm made a motion to approve Bill #21-56/Ordinance #3100 authorizing “Business District A” Commercial Building Facade Improvement Program as attached; seconded by Councilman Frey. Economic Development Coordinator Mallord Hubbard explained some façade of buildings are in need of repairs and updating. We hope this is an extra push for some to make that decision, in order to promote the downtown business district. This is something staff identified. We looked at our existing programs, but saw they primarily support large-scale renovations and expansions. Councilwoman Bellm inquired Building & Zoning will need to approve the plans. Director Speraneo responded we would verify they are in the C2 design standards. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-57/ORDINANCE Amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, Entitled Schedule of FTTP Rates and Charges, Specifically Rates for Video Services – Councilman Frey made a motion to approve Bill #21-57/Ordinance #3101 amending Chapter 78, Article VII, Section 78-732, of the Code of Ordinances, entitled Schedule of FTTP Rates and Charges, specifically rates for video services as attached; seconded by Councilwoman Bellm. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried.

Bill #21-58/RESOLUTION Making Separate Statement of Findings of Fact in Connection with Ordinance Granting Special Use Permit for Short-Term Rental within the R-1-D Zoning District – Councilwoman Bellm made a motion to approve Bill #21-58/Resolution #21-04-2814 making separate statement of findings of fact in connection with ordinance granting Special Use Permit for short-term rental within the R-1-D Zoning District as attached; seconded by Councilman Frey. City Attorney McGinley state Items O & P on the agenda are both the same issue. Both are written, as “yes” is to approve; “no” is to not approve. Planning & Zoning did not approve this request. If Item O fails, then Item P is mute.

Miles Maggio noted a lot of the checks and balances were discussed already. Major differences from the Planning & Zoning meeting to note are five reasons (as noted on Page 17): Marge Donnelly has signed a written commitment to be the immediate response. Marge has since committed to no long-term tenants in the upstairs unit, if this special use permit is approved. Three neighbor testimonies from neighbors directly adjacent to the property. I was ill prepared for the Planning & Zoning meeting, as typically these requests pass easily. As a reference, Kingdom Stays has no concerns that were presented through the website. Starting on Page 6, there are really good reviews. These are all renters of this property. As explained on Page 8, Kingdom Stays methods are more secure than the building we are in, right now. Kingdom Stays homes are more secure than Highland Parks. Individuals or groups with ill intent will never want to disclose all the information requested, much less stay at a place that is noise and video monitored.

Image you meet a stranger. You say, ‘Hold on! You need to show me your government issued ID.’ They show it to you, you take a copy of it and they proceed to greet you; but you continue by saying you need to know their intentions for coming to me. In which they explain their situation to you. You then ask for their contact information, permanent address, vehicle information, explain the rules of friendship, and find it all to be true. Yet, we still stop them after all this screening and question their friendship. It is a huge disincentive for individuals or groups with ill intent. Proof is in the pudding, so to speak, in the last 2.5 years, and 525+ stays, we have had only two noise issues with attempts to have parties. We want to maintain the value of the property. Medium and large-size families want to stay at homes rather than hotels. We are taking reservations from those traveling for family reunions, funerals, weddings and other events. This will create more work opportunities also. If this level of screening, verification, and precautions does not meet the necessary than what will? This is not a zero-level of risk. Nothing is. We want everyone to be safe. If Marge Donnelly does not have the right to open her home for short-term rental use on this level of ensuring there is no adverse impact on adjoining properties, public health, welfare or safety of the community then what standard of ensuring is need to her to utilize her property as she chooses?

Let me as, if that stranger, now acquaintance want to be our friend so much that they go through the full Kingdom Stay screening process and agrees to begin under surveillance. Would you let them be your friend? Let me ask the question, if you still do not trust the acquaintance. What conditions would you let them be your friend? Airbnb has 6.1 million listings and growing. Short-term rental is the future of travel. I am asking the board to make to base their decision on past track record and measures put into place, not based upon gossip and speculation. I ask the board to use a reasonable standard to determine



whether or not the short-term rental causes ‘substantial adverse impact on the use, enjoyment, or property values of adjoining properties’ and if the short-term rental will not have an adverse impact on health, safety and welfare of the community. Not doing so, can undermine the basic right and freedom of the property owner to utilize the property as she wishes. At the end of the day, we are all Americans, who are judged on a reasonable and equally agreeable standard that does not change based on feelings, emotions, or rumors. If an even stricter standard is needed, I know guests will not feel welcome to Highland. If board decide this is adequate, then the families that stay at Kingdom Stays will feel welcome. City of Highland, will you allow a stranger going through rigid screening to become your friend? Will you allow Kingdom Stays guests to feel welcomed and experience this hometown experience? City of Highland, will allow Kingdom Stays families into your community?

Councilwoman Bellm stated, first of all, the Planning & Zoning Board, in my experience carefully reviews all issues that come before them. Perhaps this packet would have altered their decision. Why was this not given to the council for review before now? City Attorney McGinley explained we were told there was information in the packet that was sensitive that they did not want to put out to the public, so it was not put into the council’s packet. Councilwoman Bellm expressed if some of this is considered sensitive it should have been left out and presented in a different method. Mayor Hemann stated if this stuff was brought before Planning & Zoning, it could have been addressed. City Attorney McGinley advised that the seven reviews cited are not legitimate, as they were done without approval of this property for this use. Councilwoman Bellm stated I will not over rule Planning & Zoning. We do have strict codes and we do take into consideration the feelings of neighbors. If this was presented sooner and more neighbors approached, may be. However, as it is, I will support Planning & Zoning and deny this request. Councilman Frey stated I am aware of Planning & Zoning’s decision and reason for denial. I am assuming all of this presented is true. Where the 525+ stays come from, I do not know. Where these stays are at, I do not know. I am concerned only about Highland. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipkind voted aye, none nay. Councilwoman Sloan stated, as much as I feel there is a need, but I am going to vote with Planning & Zoning, no. Councilmembers Frey, Bellm, and Hipkind voted no. None aye. Motion Failed.

## **REPORT**

Approve Warrant #1193 – Councilwoman Bellm made a motion to approve Warrant #1193 as attached; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipkind voted aye, none nay. Motion carried.

Councilwoman Bellm made a motion to temporarily adjourn this regular session to enter into executive session under the Illinois Open Meetings Act under 5 ILCS 120/2(c)(1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees. Motion seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipkind voted aye, none nay. Motion carried. Open Meeting temporarily adjourned at 9:03pm.

Mayor Hemann reconvened the Regular Session at 9:55pm. Council members Hipkind, Bellm, Frey and Sloan were present. Others in attendance were Interim City Manager Conrad, Attorney McGinley, Chief Becherer, Deputy City Clerk Hediger, and City Clerk Bellm.

Mayor Hemann stated nothing discussed in Executive Session would be acted upon in Open Session this evening.

Councilwoman Bellm made a motion to adjourn; seconded by Councilman Frey. Roll Call Vote: Councilmembers Sloan, Frey, Bellm and Hipskind voted aye, none nay. Motion carried and meeting adjourned at 9:55pm.

Kevin B. Hemann, Mayor

Barbara Bellm, City Clerk

**Introduction:**

Thank you, board of Highland, for your time and consideration into this special use permit today.

My honest intention is to represent the families and groups that want to stay at 1320 Zschokke St Highland, IL, and to represent Marge Donnelly, the property owner, who has the right to run her property as a short-term rental if the short-term rental will not cause a substantial adverse impact on the use, enjoyment, or property values of adjoining properties and the short-term rental will not have an adverse effect upon the public health, welfare, or safety of the community. My intention is not to convince the board of a particular decision but represent my guests and the property owner in making sure the board understands the important decision being made today. For this new endeavor, there are a lot of questions that arise so my intention is to be as transparent and as thorough as time will allow. Since this is new to neighborhoods and communities, many of the screening, verification, and surveillance procedures err on the side of caution and safety for everyone. I can provide any documentation to support the following information provided.

**Gossip and slander against Kingdom Stays:**

When I first came to Highland I was greeted by Marge Donnelly who made me feel welcome. I thought, "This is a place my guests would enjoy and it's in a nice, quiet neighborhood." Later, I had many unreasonable circumstances arise with Jennifer, the tenant upstairs at the time I began managing. (The ONLY reason I am bringing this up is that I have been made aware on multiple occasions that Jennifer gossiped and slandered me and my business.)

- She expressed her concern over guests coming to stay downstairs.
- She got mad at me for utilizing a ladder that was stored on the lower part of the house where the short-term rental is, thinking it was Marge's (property owner)'s ladder.
- Banging on the middle of the upstairs-level floor while I was there preparing the place for guests.
- Dane came down the stairs complaining and yelling through the downstairs door after a reasonable noise level (when I was cleaning and preparing the upstairs).
- Documented incidence of the long-term tenants upstairs arguing with each other after 9 pm at night.
- There is documentation of the noise level of the downstairs the entire time and very few times has it gotten above the normal conversational noise level.
- I waited patiently for 1 week before contacting Marge about this.
- After telling Marge the situation Jennifer and Dane heckled me on multiple occasions for telling Marge what was going on.
- A noticeable smell of marijuana was reported coming from the upstairs.
- Dane has called Marge, the property owner, drunk/high on multiple occasions.
- I waited patiently for another 2 weeks before explaining to Marge the issues were not getting better.

- Marge independently decided to evict the upstairs tenants for "clear breaches" of the lease.
- Jennifer and Dane left the upstairs in bad shape.
- I needed to register a complaint against Jennifer with local law enforcement regarding these ongoing behavior issues, in case it needed to be referenced later.

I arrived at the previous public hearing with no idea of the neighbors' concerns, as no one had expressed any to me, nor reached out, despite my reaching out to the ones immediately adjacent to the home. I was caught off-guard by what appeared to be slander and gossip spread by Jennifer to the neighbourhood, and was unable to identify any specific incident which caused their concern, as none were raised in private, or during the hearing. During the last meeting, one of the individuals indirectly threatened to pester guests and I thought to myself, "maybe I do not want my guests coming here." Right around that time, I received an application for the cleaning position from a missionary who lives very close by and remembered the vision God gave me of the business. This is the only reason why I am continuing to pursue a special use permit today. There were zero negative, dangerous, or concerning incidents reported at the last meeting, and there have never been any incidents reported as a result of this short-term rental.

#### **Safety and security systems in place:**

The safety and security systems in place have been developed by experience over the past two and a half years, with over 525 reservations, and over 1200 nightly stays. These systems are designed to be effective in their proactive measures to prevent issues before they arise. They are designed to err far on the side of safety and caution for everyone nearby and are not an indicator of the type of guests we receive as it is very seldom these systems are needed.

- Minut Point System - installed within the home is noise-level monitoring, smoke detector monitoring, and a "crowd detect" monitoring system that proactively alerts a representative of Kingdom Stays the moment guests are breaking the most important house rules. The noise alert notifies me of prolonged noise above 70 dBs (decibels) [equivalent to one notch/level above conversational noise level] based on a noise decibel chart. I have the noise alert set at this level because I deeply care that the short-term rental does not become a problem in the community. Upon being alerted of a "noise event" or a "crowd event" a representative of Kingdom Stays or myself proceeds to monitor the cameras closely and can know very quickly if the house rules are intended to be broken or not so proper communication can be established with the guest at that time. If no communication is established with guests then a representative, such as Marge Donnelly (who lives 4-minutes away) or myself will promptly arrive at the home. This alert system goes directly to my smartphone and is always turned on and on my person at all times, even when I am asleep, it is set such that it wakes me up.
- As an added level of precaution, audio and visual cameras are installed viewing each entrance and the immediate backyard so as to monitor the property at all times. I am alerted with movement and noise and can monitor live, what is occurring on camera, so

as to react in a timely manner. A representative of Kingdom Stays or myself monitors the cameras closely and can know very quickly if the house rules are intended to be broken or not so communication can be established with the guest at that time. This goes directly to my cell phone, which is always turned on and is on my person.

- Guests are paying an average of \$94.25 per night (when all costs are considered). This figure is anticipated to grow to \$156 per average nightly price once reviews and repeat clientele matures on the listing. Some have seen the front-end display price on the direct booking website. It should be noted that \$40 per night was a default setting, that true prices are realized once inputting the number of guests and exact dates, and that I have not updated the listing's default display price since most guests are accepted through the other channels, such as Airbnb and booking.com, that automatically update the listing display price.
- Guests must first submit a government-issued ID and be verified on the platform(s) before staying with Kingdom Stays. Kingdom Stays utilizes a platform that contains the largest data sets of comprehensive travel history to determine if guests are suitable for a short-term stay. There are additional requirements that the platforms require of guests as well, such as age and limitations on the number of guests. In addition to this, each guest must sign they have read and have understood the full house rules. I have included these rules in appendix E for your reference.
- Guest Application: Guests are asked a series of questions and based on these questions, and years of experience interpreting these responses, guests are accepted or declined.
- Guest registration and verification process: Guests are sent expectations ahead of time, and are required to submit a form with their full information before check-in. If the information does not match that on the reservation then we will ask for that information. This information includes:
  - Reason for requesting to reserve
  - Identifying individuals who are coming along
  - Confirmation of reading, understanding, and abiding by the full house rules
  - First and Last names
  - Gender
  - Birthdate
  - Phone Number
  - Email Address
  - Picture of their government-issued photo ID
  - Permanent Address
  - Year, make, model, and color of the vehicle being used
  - License plate number

If a guest is not fully verified then they are not given the information necessary to access the home and are asked to complete this process in full or cancel their reservation. This is very important to Kingdom Stays because we want to know who is staying in our homes

in every reservation. They do not receive the address of the home until near to check-in time, for security purposes.

- Airbnb, Booking.com, VRBO, HomeAway, Direct Booking Website, technology, social media: None of these platforms are good nor bad but are driven by people who make decisions on these platforms that result in good or bad outcomes. Airbnb, for example, has over 6.1 million listings worldwide and is still growing. Watching a Youtube video of someone describing the risks related to Airbnbs would be as useful in determining risk of driving motorized vehicles by listening to testimonies of car crashes. Worst-case scenarios do exist within the law of large numbers but relevant risk is associated with specifically how someone drives the vehicle or utilizes the platform. Therefore, we cannot speculate on what a short-term rental could do but we need to specifically examine what they already are doing in the community with the current checks and balances in place.
- Neighbor relations: Kingdom Stays has reached out and will continue to reach out to surrounding neighbors to answer any questions, fix any issues, and resolve any disputes that may arise in the coming years. We have already dropped off packages with our information, direct contact information, chocolates, gift certificates, and information about Kingdom Stays to the neighbors immediately adjacent to the property. We understand that the neighbor's safety, security, and comfort level are important in this relationship with the property owner, the value of the home, and the relationship with the neighborhood. Kingdom Stays now has a web page for neighbors to get information about and further engage in the process at [www.kingdom-stays.com/neighbors](http://www.kingdom-stays.com/neighbors).
- Marge Donnelly, the property owner, lives nearby and commits to responding promptly to very rare situations that require immediate in-person attention, quelling any concern that the property is not attended to in a rare situation that requires rapid in-person attention.

### Report card and track record of Kingdom Stays:

- There were only two circumstances over the last 525+ reservations at the previous homes I managed where I needed to reach out to the guests and stop an attempt at a party. As a result of these systems, the party ceased immediately, there were no complaints by neighbors, and law enforcement was not even contacted. This is 113rd of 1% where an attempt at throwing a party occurred and there were zero issues as a result of these systems in place to deal with the matter before it escalated.
- Three neighbors representing three homes in the immediate vicinity (two homes are adjacent to this home) of this home on Zschokke St. have spoken independent from one another and openly about the bed and breakfast/short-term rental saying there have been no noise issues and no problems to them or other neighbors they have spoken with. One neighbor mentioned that if something had happened then he is confident he would know about it. These neighbors have described full support of the short-term rental saying that if the home continues to receive the guests that they receive then there will be no issues. They said it has been very quiet and peaceful and do not see it being an issue.  
[Board Reference Only: Jonathan (adjacent neighbor), Diane & Dan (adjacent neighbors), and Venessa (immediate vicinity) are the neighbors]
- Joshua Tree (314) 600-1178 neighbor of the short-term rental home in Fairview Heights, IL
  - o "I can personally say I have had 0 issues with you or any of your guests/tenants at any point since purchasing the property right behind mine. No noise issues, no upkeep issues, no party's or anything to complain about and as far as I know the neighbors around me have had no issues as well."
- Another neighbor of the Fairview Heights short-term rental home, on the opposite side of the home, the neighbor mentioned recently she and her boyfriend have had no issues with the short-term rental and upon looking up the listing they were happy to see that it had great reviews. The gentleman said he can be used for reference by phone call.  
[Board Reference Only: Matt Harms and Amanda - (314) 749-3652]
- Upon dropping off packages to neighbors in the immediately adjacent the property with more information about the short-term rental, direct contact information, chocolates, and gift certificates I have not heard anyone reach out and inquire about the short-term rental, let alone voice any complaints or even concerns. If there were issues as they relate to guests coming into the neighborhood we would have heard about it already. It is clear to me this new endeavor is under close scrutiny by neighbors and it's also clear to me, neither good nor bad, that neighbors like to talk to each other. We certainly would have had a specific example of "cause of adverse impact on adjoining properties." I have not even had a roll of toilet paper stolen from me, let alone criminal activity.
- At the building and zoning board meeting on Wednesday, April 7th, there were zero relevant complaints as it relates to this short-term rental. No one was able to give one specific example of anything that would "cause a substantial adverse impact on the use,

enjoyment, or property values of adjoining properties," or "have an adverse effect upon the public health, welfare, or safety of the community." Much of what was heard on that Wednesday night was hearsay, gossip, and speculation but there were no specific examples given to this model in specific nor the short-term rental we are speaking of.

- Families and Individuals that have stayed at the Highland home and their verified reviews. It should be noted that these reviews are unprompted, unsolicited, and can be found on the official Airbnb listing found in appendix A and appendix B:
  - Dewey Drollinger - 1 Adult in his 30's (visiting a friend on the way to a Christian worship center in Dallas, TX called "UpperRoom Worship")
    - Review: *"Great place! safe, very quiet neighborhood and town. I slept amazingly well. Miles also keeps things very secure and is very responsive. It is close to St. Louis, but far enough out that you wouldn't even realize you are near St. Louis. Nice farmtown. Miles has tons of thoughtful touches: a multi-usb plug-in on each nightstand for charging phones, SO MUCH breakfast food spices/breakfast condiments and coffee stuff, and I am amazed he has digital things like a Roku set up on one of those big old big screen TVs! speaking of that, the living room was SUCH a nice place to relax, I could see a family relaxing together. other things to mention: he does have a simple workspace table in addition to kitchen table, everything is laid out to make it all feel real roomy and spacey despite it being a smaller-ish house, so it makes it feel like a huge house with plenty of room to move. it is just a really nice space. water pressure in the shower was something I mentioned to him that could be better, and it sounds like he is on top of things. This is a great stay!"*
    - Compliments:
      - "Sparkling Clean"
      - "Outstanding Hospitality"
      - "Thoughtful Touches"
      - "Quick Responses"
      - "Amazing Amenities"
      - "Stylish Space"
  - Nathaniel Garland - 2 Adults (Visiting fiance.)
    - Review: *"Fast responses and overall good service"*
    - Private Feedback: *"Thanks a lot/or letting us stay in the house"*
    - Compliments:
      - "Sparkling Clean"
      - "Outstanding Hospitality"
      - "Quick Responses"
  - Merrick Potter - 2 Adults, 3 Kids (Stopping for family rest between two work trips.)



- Review: *"Great place for the five of us (dad, mom, kids). All on one floor in a quiet neighborhood near a couple parks for our little ones. Miles was a great and quick communicator who was very helpful before and during the stay. We so appreciated the breakfast options and water bottles in the fridge. Would be happy to stay at one of his houses again!"*
    - Compliments:
      - "Outstanding Hospitality"
      - "Quick Responses"
  - o Cat Lorentzen - 1 Adult in her late 30's (Visiting Family.)
    - Review: *"Miles was awesome. He responded to questions promptly and eager to make sure I had everything I needed One night after a crazy thunderstorm/tornado he even brought a flashlight when the power went out in the whole block. Location was great, walkable to restaurants, quiet and very clean."*
    - Compliments:
      - "Outstanding Hospitality"
      - "Thoughtful Touches"
      - "Quick Responses"
  - o Nicole Fosdick - 4 Adults, 2 Kids, 1 Infant (Traveling to Greenville and St. Louis to visit family and a small vacation with children.)
    - Review: *"Miles home was very nice and super clean! The stay was so comfortable! We have 5 children and they loved the stay there also! The neighbors were very friendly and it was a nice quiet neighborhood We look forward to getting to stay here on our next trip!"*
    - Compliments:
      - "Sparkling Clean"
      - "Outstanding Hospitality"
      - "Quick Responses"
  - o Lillie Morse - 3 adults and 2 children (Traveling from Texas to Michigan).
    - *"The home was well kept, the location was nice and the hospitality was very welcoming."*
    - Compliments:
      - "Sparkling Clean"
      - "Outstanding Hospitality"
      - "Thoughtful Touches"
      - "Quick Responses"
      - "Amazing Amenities"
      - "Stylist Space"

### **The Kingdom Stays method is more secure than general community standards:**

- Kingdom Stays homes are more secure than this building we are in right now. If the same screening and verification process were to be placed on each one of us tonight there certainly would be people moaning and complaining, " this is overkill and entirely unnecessary".
- Kingdom Stays homes are more secure than any of the Highland, IL parks. No one is screened, no one is required to submit their government-issued photo ID, verified to be accurate, and then monitored with comprehensive surveillance technology. I never hear anyone complaining about this.
- Individuals or groups with " ill-intent," (of any kind), would never want to pay money, disclose their full payment information, disclose a picture of their photo ID, make/model/color of vehicle, license plate number, birthdate, phone number, email address, permanent residence, temporary address, and have all that information confirmed before getting the address to the home or even getting access to a house they know is actively audio and visually monitored on each entranceway, noise-level monitored, smoke detector/ carbon monoxide detector monitored, monitored with "crowd detect", and monitored for glass breaking.
  - o Imagine a mere stranger walked up to you to greet you and you said, "hold on!" you need to show me your government-issued photo ID. Then the bystander said, "sure thing," happy to let you take a photo copy of it and proceeded to greet you in which you said, "hold on!" I need to know your intention for coming to me." In which, he or she explains the situation to your satisfaction. Imagine you repeat this for their license plate number, make/model, and color of your car, make them confirm favorable friend rules, their permanent address, their temporary address, confirm their phone number, confirm their email address, and even billing information and then you go and double check all this information just to find out it was all correct. You then inform them they will be audio and visually monitored during your friendship. Surprisingly, the new acquaintance still wants to be your friend but even more surprisingly you still stand there in suspicion of them wanting to bar them from friendship. Moreover imagine this process occurs as your sibling does the same screening process many, many times over that tum into great friendships and amazing experiences over years yet you yourself still stop anyone from becoming your friend after this level of screening process. This is a good picture of what we are describing when we say we screen the guests yet we will still stand in suspicion of them; when, if they even attempted anything at all, there is a confirmed stack of information to hold them fully accountable for their actions. This is a massive amount of disincentive for individuals or groups with "ill intent" (of any kind) to not book in the first place and simply go elsewhere.
  - o Neighbors of Kingdom Stay homes are even less vulnerable and even less accessible and therefore take on less risks than the friend described in the analogy.

- Lastly, the proof is "in the pudding" so to speak when over the past two and a half years, over 525+ reservations and over 1200+ nights later the worst we have seen was 2 attempts to start a party resulting in zero neighbor complaints and a total of zero law enforcement involvement. For comparison's sake, that is better than most standards used in residences in the area.

**Kingdom Stays homes are designed to be a blessing to the community:**

- Upon approval of the special use permit, Marge, the property owner, has plans to greatly improve the home, curb appeal, landscaping, even better than it already is with the additional revenue generated as a result of this business. The priorities and values of the short-term rental business and property owner of this home align directly with those in the surrounding neighborhood as increasing the appearance and value of the property commands higher rates in the area. (We are incentivised to increase the value, curb appeal, and appearance of the home.)
- Medium and large sized families prefer to stay in whole-home accommodations as opposed to a standard hotel and motel accommodation. This is particularly true when it comes to this time in history during a pandemic and increased levels of violence. This gives more accessibility, convenience, and options to families that want to come to visit family, partake in family events such as weddings, funerals, family get-togethers, and much more.
- This allows families to come and spend money in Highland as well as give the opportunity to tell others about Highland, IL and will ultimately generate more economic opportunity for the city.
- This will generate more work-based opportunities in the area where cleaners can bring their children to work and be competitively compensated.

**Highland precedence for short-term rentals:**

- If this level of screening and verification does not safeguard against substantial adverse impact on adjoining properties as well as health, welfare, and safety of the community, then what screening and verification process will?
- If this level of precautions taken does not safeguard against substantial adverse impact on adjoining properties as well as health, welfare, and safety of the community, then what level of precautions will?
- Every aspect of life has some level of risk. This is not a zero-level of risk alternative (nothing is), this is an equivalent risk-level, if not, lower risk-level than a single-family home. This has been proven, over 2.5 years and over 525+ reservations that neighborhoods are secure, that everyone involved is safe. If not allowing a short-term rental system with 2.5 years of track record and over 525+ reservations is not long enough of a track record then what would be a long enough track record?

- If not this short-term rental special use permit being allowed by the city of Highland then what short-term rental special use permit would be allowed by the city of Highland?
- If Marge Donnelly does not have the right to open her home for short term rental use based on this level of ensuring there is no substantial adverse impact on adjoining properties and that this will not have an adverse effect upon the public health, welfare, or safety of the community, then what standard of ensuring this do Highlanders need to meet to have the freedom to utilize their property the way they choose?
- If that stranger, now acquaintance, wants to be your friend so much that they go through the **full** Kingdom Stays screening process and agrees to being comprehensively surveilled, would you let them be your friend? If you still do not trust the acquaintance, what conditions would you require to trust him/her? Neighbors of Kingdom Stays do not even need to be exposed as much as friends even do.
- Short-term rental properties are the future of travel and not allowing a safe short term rental in your city can result in being less competitive and accessible in the travel market. Airbnb has 6.1 million listings worldwide and growing and it is anticipated that in the next 5-10 years most cities in the US will have at least one or two short-term rental homes. Highland is known for their technology and this technological trend is no different. This decision will set a precedence for future short-term rental homes in Highland.
- I want to suggest that Highland, IL doesn't need to choose between a small town feel and big town amenities but can expect both. Highland can be mindful of our past and keep an eye on the future.

**Lastly, questions about the use of the upstairs apartment:**

It was decided between Marge and I that the upstairs will be repaired after the long-term tenants were rightfully evicted. There is therefore no added concern about the noise level related to upstairs tenants. The upstairs apartment will be locked away from guests and either in the process of being repaired/renovated or will remain vacant until another special use permit passes such that allows guests for a whole-home accommodation and therefore increasing the overall value of the whole-home accommodation.

**Appendix A: The Listing <https://airbnb.com/h/comfvhi2hlandhome>**

Please visit the listing. The listing is found on multiple platforms and is designed to attract families or small groups. The listing goes into detail on amenities offered and guest expectations.

• **Comfortable Family Home** •

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[Share](#) [Saved](#)



**airbnb**  
**superhost**  
quality & experience  
[1200+ nights](#)  
[Show all photos](#)  
4.91 out of 5 stars

Entire househosted by Miles

10 guests • 2 bedrooms • 3 beds • 1 bath

\$69/night

5.0 (4)

Entire home

You'll have the whole house to yourself.

Add date

CHECKOUT  
Add date

GOES TO  
5 guests

▼

Enhanced Clean

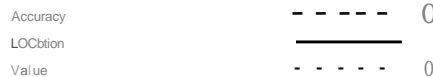
This host committed to Airbnb's 5-step, health and safety process.

[Check availability](#)

Self check-in

Check in yourself with the smart lock.

5.0 (4 reviews)



Cat  
April 2021

Miles was awesome. He responded to questions promptly and eager to make sure I had everything I needed. One night after a crazy thunderstorm/tornado he even brought a flashlight when the power went out in the whole block. Location was great, walkable to restaurants, quiet and very clean.

Merrick  
March 2021

Great place for the five of us (dad, mom, kids). All on one floor in a quiet neighborhood near a couple parks for our little ones. Miles is a great and quick communicator who was very helpful before and during the stay. We so appreciated the breakfast options and water bottles in the fridge. Would be happy to stay at one of his houses again!

Nathaniel  
March 2021

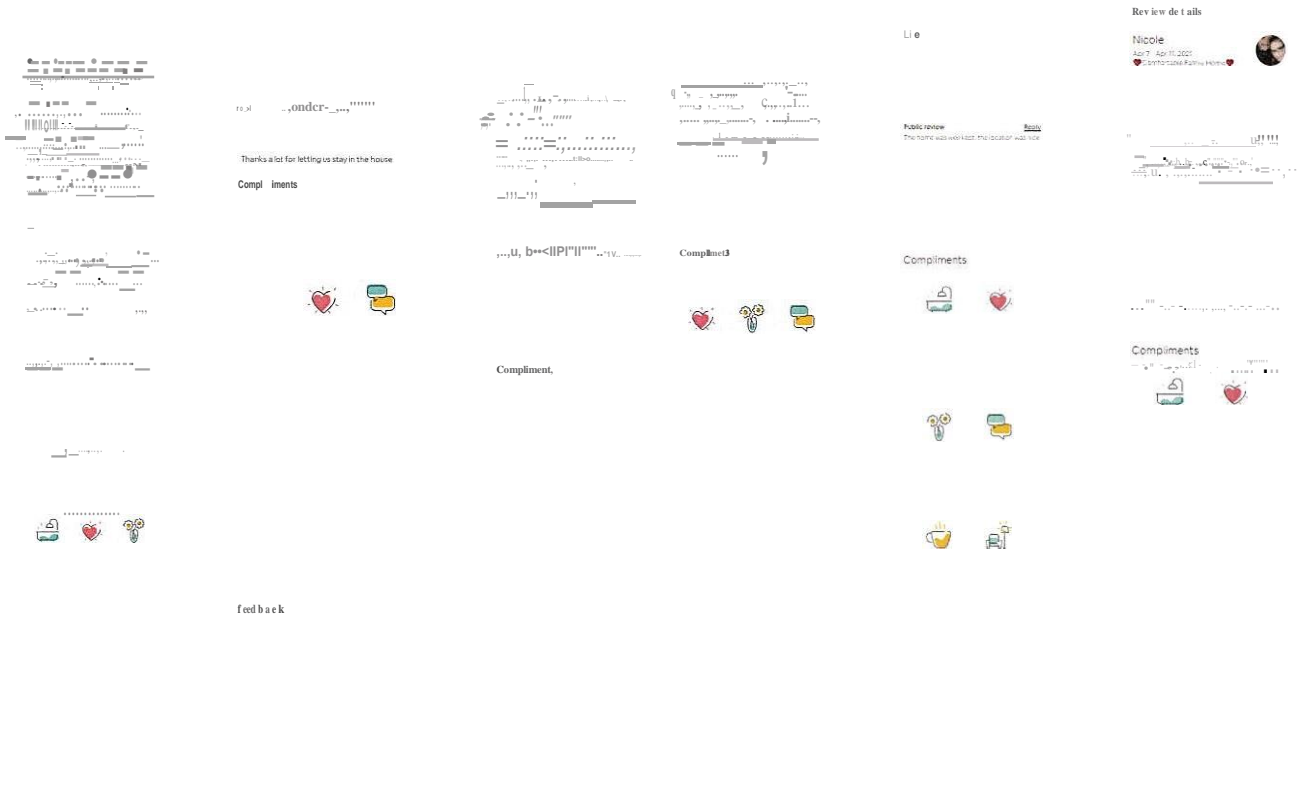
Fast responses and overall good service

Dewey  
March 2021

Great place! A very quiet neighborhood and town. Slept amazingly well. Miles also keeps things very secure and is very responsive. It is close to St. Louis but far enough out that you wouldn't even realize you are near St. Louis. Nice farm to own. Miles has tons of thoughtful touches: a multi-usb plug-in on each nightstand for charging phones, SO MUCH breakfast food, spices, breakfast condiments and coffee stuff, and am amazed he has a little table like a desk set up on one of those big old big screen TVs! Speaking of that, the living room was SUCH a nice place to relax. I could see a family relaxing together. Other things to mention: he does have a simple workspace table in addition to kitchen table, everything is laid out to make it all feel real roomy and spacey despite it being a smaller-ish house, so it makes it feel like a huge house with plenty of room to move. It is JUST a really nice space. I rate 5 stars in the show was something I mentioned to him that could be better, and it sounds like he is on top of things. This is a great stay!

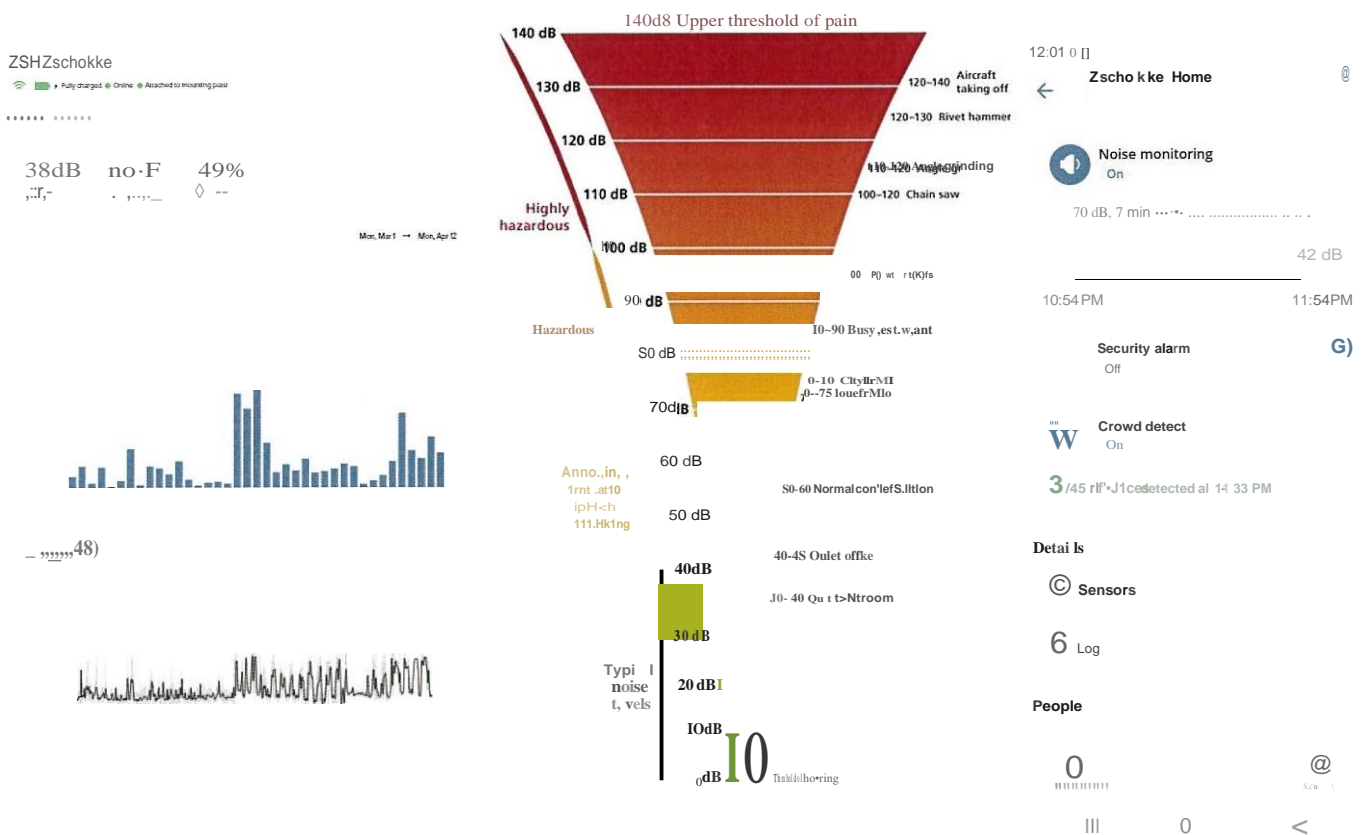
## Appendix B: Reviews from Previous Guests at the Home

Below screenshots are detailed versions of all confirmed reviews received so far at the home. Reviews are only allowed on the platforms if guests pay to reserve nights and stay at the home. Although a much more extensive history will show a long track record of success, here are the ratings received at this home only. The listing has an average of 5 out of 5 stars and is receiving consistent compliments in the category of "Outstanding Hospitality" and "Quick Responses."



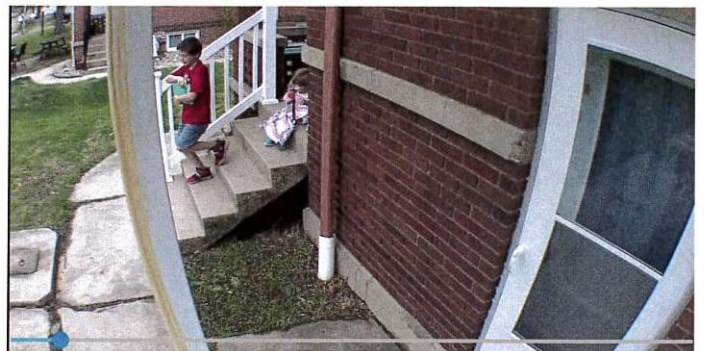
### Appendix C: Minut Point Monitoring System (installed within the home)

The Minut Point System is installed permanently on the central ceiling on the home and detects noise-level (non-invasive), motion, smoke detector alarm sound, carbon monoxide detector alarm sound, "crowd detect" (detects number of people/devices within home), temperature, and moisture and then proactively alerts assigned team members via mobile device notification and text message as soon as readings are outside of predetermined ranges. This is a proactive measure to ensure that the house rules can be promptly enforced. Below shows screen-shots of the indicators given both on desktop computer and mobile devices. The screenshot on the right shows that the home has seldom risen above 60 decibels dB "conversational noise level."



**Appendix D: Blink XT2 Camera System (installed in the exterior viewing each entrance of the home)**

Each entranceway is equipped with the XT2 camera system to record motion, HD video (wide angle), and HD audio. The system is able to view in the dark and can be turned on to proactively send mobile notification and text messages when movement is detected. This is considered to be a tool to err on the side of caution and understand what is happening on the property so as to promptly and adequately respond to rare situations that may arise. All video and audio is recorded and tagged at motion events so as to easily access the files in the future.





## **Appendix E: Short-term rental House Rules (confirmed before applying)**

Each guest has to confirm to have read, understand, and abide by the full house rules before applying to a Kingdom Stays property.

### **Here is what guests see before applying:**

*The house rules will be formally enforced and are very important to ensure a great experience for each and every guest staying with us, so please read them carefully:*

- O** *The platform chat is the primary method of communication.*
- @** *Local residents must communicate with us first before booking.*
- @)** *The primary user must have a valid and updated phone number on the platform.*
- O** *Disclosure: A background check will be considered for each reservation.*
- O** *No more than 12 individuals are allowed on or in the property at any given time unless otherwise communicated. Accurately reporting the number of guests staying the night will be accounted for with outdoor entranceway cameras. It is required that you promptly communicate changes in the number of guests staying the night.*
- ©** *No excessive noise allowed: this is defined as noise above conversation level at any time. Quiet hours (whisper-level noise) is from 11 pm to 8 am every day. The noise level will be monitored by a noise-level alert system.*
- @** *If there is any issue related to your stay, you are required to communicate this promptly to Kingdom Stays and allow a representative of Kingdom Stays to come and fix the issue at any time during the stay.*
- €)** *No more than 5 cars are allowed to be parked in the immediate vicinity, street, and neighborhood. This is to maintain the character and traffic flow of the neighborhood and will be formally enforced.*
- O** *There is a \$50 late check-out fee unless otherwise communicated.*
- @** *Smoking is only allowed in the back of the house. Marijuana is not allowed on the premise under any circumstances due to how close the neighbors are. Immediate cancellation of the reservation and a \$250 smoking fee assessed for each day of the reservation if smoking of any kind is detected inside or in front of the property whatsoever. This means smoking is NOT allowed in front of the house, front porch, front yard, or back yard. This will be monitored by special smoke-monitoring technology installed within the space and outside entranceway cameras.*

*Local legislation requires a verification process upon check-in. This will come in the form of a quick, easy-to-use, online check-in form that can be done straight from your smartphone. Any fees associated with non-compliance will be required.*

*Upon guest registration, you must certify that this is not the permanent residence of anyone staying.*

*Feel free to reach out to me with any situation you are not sure of or have any questions about. I am very understanding when it comes to most situations but do ask.*

*Not following any combination of these rules can result in being responsible for any costs associated with the disruption of the following reservations. Violations can result in instant cancellation of the reservation without a refund.*

**Conclusion:**

These points discussed provide a degree of confidence that the short-term rental will not cause "substantial adverse impact on the use, enjoyment, or property values of adjoining properties" and that the short-term rental " will not have an adverse effect upon the public health, welfare, and safety of the community."

I am asking the board to judge based on past track record and not judge based on hearsay, gossip, and speculation. I am asking the board to make their final decision based on verifiable evidence, relevant history, and specific evidence as it relates to this property and the Kingdom Stays method in managing this short-term rental. I ask the board to use a reasonable standard to determine whether or not the short-term rental causes "substantial adverse impact on the use, enjoyment, or property values of adjoining properties" and if the short-term rental will have an adverse effect upon the public health, welfare, or safety of the community. Not following these reasonable standards places at risk the precedence for future whole-home accommodations in Highland and can undermine the basic right and freedom of the property owner to utilize the property as she wishes upon proving beyond a reasonable doubt that other's freedoms, enjoyment, and property values of adjoining properties are preserved as well.

At the end of the day, we are all Americans who are judged based on our hard work and track record and not based on where we come from. We are judged based on a reasonable and equally agreed upon standard that does not change based on feelings or emotions, mob rule, or rumors. So if the board decides that an even stricter standard needs to be met to ensure this then, as someone who represents my guests, I know guests will not feel welcomed to Highland and this is not a place for Kingdom Stays guests and I will respect that decision. If the board decides that this is adequate to ensure the wellbeing of the community then the families that stay at Kingdom Stays will feel welcomed to the City of Highland and families will continue to enjoy their stay.

City of Highland, would you allow a stranger/acquaintance going through this rigid screening process to become your friend?

City of Highland, will you allow Kingdom Stays guests to feel welcomed and experience this a home-town, community experience?

City of Highland, will you allow Kingdom Stays families into your community?

## Question and Answers:

- Q: "Why should we approve this when the Building and Zoning Board did not recommend it?"
  - a. Marge Donnelly, the property owner, did not sign on paper to commit to being a rapid-response support to be there in the rare situation where a rapid response was needed.
  - b. Marge Donnelly did not commit the upstairs to leave vacant (not for standard long-term rental use) until a special use permit passed such that allowed the upstairs to be utilized for a whole-home accommodation.
  - c. Three neighbor testimonies were not gathered and referenced at the building and zoning board meeting. Two of these testimonies are directly adjacent to the property.
  - d. I believe the screening and enforcement policies in place were not properly and fully communicated.
  - e. I was simply ill-prepared for the building and zoning board meeting as these special use permits typically pass very easily for all the reasons stated previously. I also did not expect the level of coordination and gossip related to one individual who has been known to be a known-liar.
- Q: "Why haven't you applied for the special use permit before?"
  - a. I have no excuse.
  - b. I was not aware of a Special Use Permit needed in Highland, IL.
  - c. I always want to abide by all local laws and legislation in a given town or municipality.
  - d. Please consider the Special Use Permit based on the impact on the neighborhood and community and not whether a special use permit is needed or not.
- Q: "Why have I heard bad things about this property, short-term rental, property manager, or property owner?"
  - a. Jenniffer Scott has an agenda cause issues as it relates to myself for this short-term rental and myself for no apparent reason. It has been brought to my attention on multiple occasions that Jenniffer and Dane lied and the short-term rental and property. Jennifer Scott was rightfully evicted based on "clear breaches of their lease." (more on this if needed)
  - b. Jenniffer Scott and Dane have been documented liars and problem causers. Jenniffer scott has no job or career and has complained behind several people's back the day I met her (unprompted, un-asked for complaints) without property communicating her concerns first.
  - c. Short-term rental use is very new to communities and neighborhoods and only relevant information should be considered when judging the wellbeing of the community and neighborhood including those mentioned in the "Track Record and Report Card of Kingdom Stays." section of this packet

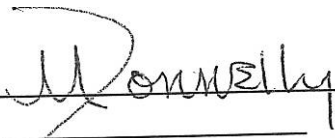
**Designated Point Person for Rapid Response:**

I, Marge Donnelly, commit to being the designated point person in the situation a need were to arise that needs me to be promptly at the property. I live nearby in Highland and am happy to do that.

**Upon Acceptance of Short-Term Rental Special Permit, Upstairs will not have Long-Term Tenants:**

I, Marge Donnelly, upon acceptance of the special use permit downstairs commit to not making available the upstairs to long-term tenets and instead either repair/renovate or leave vacant the upstairs apartment space until a special use permit is approved for short-term rental guests for the upstairs. This is also intended to stop any concerns that upstairs long-term tenets would be concerned about the short-term guests.

Sincerely,  
Marge Donnelly  
Owner of 1320 Zschokke St Highland, IL 62249

Sign:  \_\_\_\_\_

Date: *1, 'SI* J\_CJ 1...1