

**CHANNAHON VILLAGE BOARD  
COMMITTEE OF THE WHOLE MEETING  
JANUARY 6, 2020**

VP Moorman Schumacher called the meeting to order at 6:01 p.m. with Trustees Greco, Host, Perinar, McMillin, Scaggs and Slocum present.

Also present were Village Administrator Thomas Durkin, Finance Director Heather Wagonblott, Director of Community Development and Information Systems Mike Petrick, Director of Public Works Ed Dolezal, Chief of Police Shane Casey, Village Attorney David Silverman and Village Clerk Kristin Hall.

**VP Moorman Schumacher informed everyone present that anyone who speaks at the meeting shall be deemed to have given his/her consent to the recording of their likeness and speech. This meeting is being recorded.**

**VILLAGE PRESIDENT**

**ADMINISTRATION DEPARTMENT**

**Discussion – An Ordinance Amending the Village of Channahon Code of Ordinances with Respect to the Prohibition of Cannabis Business Establishments – 1<sup>st</sup> Read**

**Discussion – Consider Directing Staff to Prepare Ordinances and Commence the Process to Regulate Adult Cannabis Facilities in the Village**

Durkin stated in mid-2019, Public Act 101-0027, known as the Cannabis Regulation Tax Act, became effective in the State of Illinois. He stated the Act allows for the possession, use, cultivation, transportation and dispensing of adult-use cannabis effective January 1, 2020. He also stated the Act also provides that a municipality may prohibit the establishment of adult-use cannabis businesses within the municipal boundaries. He further stated the attached ordinance prohibits the following adult use cannabis business establishments as defined in the ordinance:

Adult-Use Cannabis Craft Grower  
Adult-Use Cannabis Cultivation Center  
Adult-Use Cannabis Dispensing Organization  
Adult-Use Cannabis Infuser Organization or Infuser  
Adult-Use Cannabis Processing Organization or Processor  
Adult-Use Cannabis Transporting Organization or Transporter

He stated nothing in the Ordinance is intended to prohibit Cannabis Business Establishments that are registered medical cannabis cultivation centers or medical cannabis dispensing organizations as defined in and authorized by the Compassionate Use of Medical Cannabis Pilot Program Act and cultivate and/or distribute only medical cannabis as authorized by that Act. He also stated if this Ordinance fails to pass via an affirmative vote by the Corporate Authorities, staff requests that the Village Board move to Item #2 under Administration on this agenda and direct the staff to prepare ordinances and commence the process to regulate adult use cannabis facilities in the Village.

VP Moorman Schumacher stated she had received a couple of letters from residents that she said she would read into the record. She stated Pat Clower is here this evening but she opted to have me read her letter. She stated the letter states:

Members of the Board and Director of Community Development and Information Systems Mike Petrick, I attended the meeting where you had the first read for the collection of sales tax from marijuana sales within the village and have given thought about what I think such an action says about our community. I understand that only two have voiced "for or somewhat for" and one "against" the sale within our village. I ask that you consider rejection of any sale of marijuana within our village. Many of our surrounding "like" communities have done so and I think for good reason. We support Project Dare and continually warn our children to avoid any and all drugs. Of course our kids come home from school to warn parents that alcohol and nicotine are both drugs also, but that is another discussion. While there would be revenue from the sales for the village, I am pretty sure that it would not be a true gain when netted against extra police effort for monitoring. I know customers will be able to purchase in Joliet and Morris, but let them go there. I think it sends the wrong message about what we think Channahon is as a community. You have spent a lot of effort trying to define Channahon in the past years, and I think this wholeheartedly misses the mark. I have spent the past several years back and forth to Colorado, and was sad to look out from a diner or coffee shop to see those establishments. It was pretty depressing, actually. While we don't have control over the use and sale in Illinois, we do have a voice in sales within our village. I ask that you please say "no" in this matter. You could always revisit the issue in the future once we see how it plays out. However, you can't take it back once you issued it to a business license. Thank you for your consideration in the matter.

VP Moorman Schumacher stated the next letter is from Michael Morman. She stated the letter states:

I am writing to you today regarding your upcoming meeting with respect to whether The Village of Channahon should allow cannabis businesses within the village. As you know, I have been busy taking care of my sick mother and regret that I am unable to attend this meeting. Therefore, it is my sincere hope that this letter will be entered into the public record in favor of allowing cannabis businesses to be able to conduct business in the Village of Channahon. While I am not a user of cannabis, I have had the pleasure of living in Boulder, Colorado where I witnessed firsthand how a municipality can successfully regulate this type of business, while gaining income through licensure fees and sales tax. To simply let this revenue go to Joliet would be a missed opportunity. I sincerely hope that you and the board vote in favor of allowing cannabis businesses within The Village of Channahon – and to look at other municipalities who have successfully regulated this type of business.

VP Moorman Schumacher stated the last letter is from Erin Gray. She stated the letter states:

Hello, the last that I saw Channahon was still deciding whether or not they wanted to allow the sale of recreation marijuana. As a citizen of the area, I just wanted to show my support for the sale and legalization. I believe allowing marijuana to be sold in our area will increase tax revenue exponentially; I do not have exact numbers or anything but the monetary prosperity would help the town blossom into the beautiful place that it is. Many of the surrounding towns are not going to allow it, so the market in Channahon would be even bigger. Please take this into consideration, if you have not already.

Trustee Host requested, for clarification, that in the State of Illinois there are only a handful of licenses available for the year of 2020.

Attorney Silverman stated it's more than a handful but it's a limited number, in the Chicago Metro area, the number is 47.

Trustee Host questioned if some have already been handed out and whether there are a few remaining.

Durkin stated the first round of those licenses went to those facilities that sell medical marijuana, right now.

Trustee Host stated that no one is in line to get a license in the Village of Channahon.

Durkin stated we have not been contacted by anyone seeking a license for a facility in the Village.

Attorney Silverman stated during the application process the applicant is not required to disclose the location of where they wanted to go.

Durkin stated the next round of 47 licenses would be distributed on or about May 1, 2020 for the six county area.

Trustee Host believes the odds it seems of a business wanting to establish in our town and actually garner a profit are pretty limited at this point. She stated maybe in the future it sounds like this could happen and that is something we are considering. She also stated to be very clear; she believes the chances of this happening any time soon are slim to none.

Durkin stated he thinks that is a pretty good guess, however that doesn't preclude someone from contacting us and looking for a particular location.

Trustee Greco stated even if we pass it, we might not see a license for two to three years or we may never see a license.

VP Moorman Schumacher stated she thinks the cost of it is so prohibitive; there is at least \$75,000 in order to get a license. She stated population wise, she thinks our market is prohibitive; we just don't have enough heads.

Durkin stated if you recall the information that was presented at the joint meeting with Planning and Zoning Commission, there we essentially had three options. He stated they were to do nothing, which would make it like any other retail business that would be permissible in any of the commercial zoning district in the community; pass an Ordinance that would prohibit the businesses in the community, as the State Law allows you to do or third, to establish parameters, regulations or rules regarding distance from other uses, from one another, the number you are going to permit in the community, where it will be permitted in the community, etc., similar to what we have for adult uses in the community now that are permissible. He also stated that if you are going to allow these types of businesses, that we should set those parameters and those regulations, rather than the do nothing approach.

VP Moorman Schumacher questioned if we vote to allow them, could we license them like liquor licenses and limit the number of licenses.

Attorney Silverman stated he thinks you could.

A lengthy discussion took place in regards to the sale of marijuana in the Village.

### **COMMUNITY DEVELOPMENT & INFORMATION SYSTEMS**

Petrick stated he had no formal items.

### **FINANCE DEPARTMENT**

Wagonblott stated she had no formal items.

### **POLICE DEPARTMENT**

#### **Discussion – An Ordinance Amending Certain Sections of the Municipal Code for the Village of Channahon pertaining to Cannabis and Tobacco Uses, Sales and Possession – 2<sup>nd</sup> Read**

Casey stated with the recent change to the State tobacco law(s), and the legalization of recreational cannabis on January 01, 2020; updates are proposed to be in compliance with, and more closely mirror, the state statutes. He stated the proposed changes to the tobacco ordinance is to account for the raise in the minimum age from 18 to 21 years old, and to update sections related to electronic smoking devices. He also stated the cannabis ordinance needs to account for the legalization of recreational use for persons 21 years of age and older, prohibitions for persons under 21 years of age, changes in the Illinois Compassionate Use of Medical Cannabis Act, and requirement related each of the aforementioned. He further stated there were changes to our fee structure for violations of Chapter 131 of the Village of Channahon Code of Ordinance.

#### **Discussion – Promotion of Officers to Patrol Sergeants**

Casey stated with the recent retirements of Sergeants Weiss and Pozen, there are two vacant Sergeant positions that oversee the day to day patrol operations and directly supervise patrol officers assigned to them. He stated currently, Officer Dustin Carlson and Officer John Blough are the top candidates on our Sergeant Eligibility List. He also stated having completed all the requirements to be eligible for promotion, the Fire and Police Commission is recommending promoting Officers Carlson and Blough to the rank of Sergeant. He further stated both Officers, if promoted, will move to the Operating Engineers Local 150 union. He stated both will receive a pay increase as determined by the Step 1 Sergeants' wage scale in the current collective bargaining agreement and this is a budgeted item.

Daniel Hoppe, Chairman of Police and Fire Commission, stated to VP Moorman Schumacher and the Village Board of Trustees, he comes before the Village Board tonight on behalf of the Village of Channahon Fire and Police Commission to recommend the promotion of Officer Carlson and Officer Blough to the position of Sergeant. He stated Officers Carlson and Blough have successfully completed the promotional process consisting of a written examination and an oral interview administered by the Fire and Police Commission. He also stated based on their scores, combined with their departmental merit and efficiency rating, Officers Carlson and Blough are our highest ranked candidates for Sergeant, currently on the promotion list. He further stated with the approval of the Village Board, he would like to request VP Moorman Schumacher to

administer the oath of office to Officer Dustin Carlson and Officer John Blough, promoting them to the rank of Sergeant.

## **PUBLIC WORKS DEPARTMENT**

### **Discussion – 2019 MFT Road Maintenance Project Change Order #1**

Dolezal stated the Board awarded this contract to Gallagher Asphalt September 16, 2019 in the amount of \$752,327.33. He stated this change order represents final as built quantities for certain contract items. He also stated these changes generate a net decrease of \$12,401.51 to the original contract cost of \$685,667.23 for these items.

### **Discussion – Venture One Phase I – Improvement Completion Guarantee Reduction Allowance**

Dolezal stated this guarantee includes a total of four separate projects: V-1 Phase 1 Building A; South Watermain Extension; North Watermain Extension; E. Frontage Road Reconstruction (since renamed Bradley St). He stated no steps have been previously reduced. He also stated all guarantees are held with a single bond. He further stated in accordance with Subdivision and Development Regulations, the developer has requested a reduction to the improvement completion guarantee for the aforementioned projects. He stated the guarantee covers typical Steps 1-4 improvements consisting of watermain, sanitary sewer, storm sewer, roadway, and parkway improvements. He also stated the reduced amount would equal the maximum allowable reduction to 20% of the original guarantees for those steps. He further stated per Ordinance, reductions can be considered when all improvements associated with the reduction request are not less than 95% complete. He stated staff has inspected all project's improvements and confirms they are not less than 95% complete.

### **Discussion – IDI – Release of Improvement Completion Guarantee for Site Development Permit**

Dolezal stated this guarantee is held to provide funding to stabilize the construction site, maintain and provide for permanent erosion and sediment controls, and make repairs to incomplete work in ROW or to watermain, sanitary sewer main and storm sewer resulting from Site Development Permit (SDP) work. He stated the SDP was issued by the Village to allow preliminary mass grading and demolition work at the site in preparation for additional site improvements then under engineering review. He also stated the guarantee is held by a single bond. He further stated the aforementioned engineering plans for Channahon Corporate Center Building A Expansion have since been approved and the Village has received a separate ICG for that work in the amount of \$550,275.00. He stated this guarantee provides funding for possible repairs resulting from the more extensive site improvements work, as well as for previous Site Development Permit work. He also stated the \$50,000 is redundant and should be released. He further stated in accordance with Subdivision and Development Regulations, the developer has requested the Village release the currently held \$50,000 Improvement Completion Guarantee (ICG) for Site Development Permit work.

## **COMMUNICATIONS**

### **Exelon Dresden Slide Presentation**

Durkin stated this is a fairly lengthy document. He stated back in November, this was presented by Dresden, at their State of the Plant Breakfast. He also stated it's in regards to the Economic and Public Policy update. He encouraged the Board to take a moment to read through this as it has some really pertinent to the community and the possible future of nuclear power in the area.

**PUBLIC COMMENT**

Joe Pospischil, Pastor at Families of Faith Christian Academy, stated he would like to speak in reference to the sale of cannabis. He stated he is a pastor here in Channahon and he deals everyday with people who suffer with addiction. He also stated he liked what the Clower's had said, that to understand what it is to stand behind, our perspective, our guidance for our children and those that are watching us, to understand that is not a message that we want to send to them; that in this community that is ok. He stated what you tolerate; you encourage. He also stated in the lives of those that he deals with, it all started with a joint. He further stated the fact that it's legal in the State of Illinois, that's wonderful but guess what, in the Village of Channahon; it doesn't have to be. He stated he really thinks it something that you have to take a broader look at; the opiates right now are off the chain. He stated the funerals that he's done for heroin overdoses are unbelievable. He stated the doorway that they entered through was cannabis. He encouraged the Board to take a broader look at it, rather than just the pros and cons, financially. He stated once you move down that road; there is no going back. He also stated when you think about the generation growing up, it's important for them to know what this community stands for.

**EXECUTIVE SESSION**

The Committee of the Whole was adjourned at 6:21 p.m.

**Submitted by  
Kristin Hall  
Village Clerk**

