

MONTICELLO CITY COUNCIL

August 24, 2020

Mayor Stoner led the Council in the Pledge of Allegiance.

Roll Call was taken by City Clerk Jill Potts.

ROLL CALL: Present: FRERICHS, SEBENS, HARLAN, REED, VOGT, BROCK,
BURRIS, KOON
Absent: None
Also Present: Terry Summers, City Administrator; Maura Metcalf,
Finance/HR; Lt. Terry Jones, MPD; Chief John Rupkey, Fire Dept; Dan
Bolin, Ancel Glink

PUBLIC PARTICIPATION:

Suzanne Wells was present for in-person participation. Ms. Wells was present to discuss her legal experience and work in the community. She is attending meetings in the area to introduce herself to the communities as she is running for Circuit Court Judge in Piatt County, a move that Ms. Wells states is a natural extension of her career. Steve Shreffler participated remotely, and stated that the sound for this meeting was barely audible, and questioned if there was live video for this meeting (there was not).

CONSENT AGENDA:

- a) Claims Report (Claims dated August 11, 2020 through August 24, 2020)
- b) City Council Meeting Minutes August 10, 2020; Planning and Zoning Board Meeting Minutes July 20, 2020
- c) Fire Report – July 2020
- d) Budget Report – July 2020
- e) Treasurer’s Report – July 2020

With no questions or comments, a motion was made by Alderwoman Harlan, and seconded by Alderman Reed, to approve the Consent Agenda items. A voice vote was taken and the motion carried with all present voting yes.

MAYOR’S REPORT:

The Mayor discussed the following:

The City of Monticello is hosting a Virtual Solar Power Hour on 8.25.2020 at noon for those interested in learning more about residential and commercial solar uses. A National Dog Day Celebration is happening on 8.26.2020 from 5-7pm at the Milligan Dog Park. Allerton Park has two drive-in movies scheduled – one movie on August 28th and 29th and one on September 11th and 12th. Reminders were given about the Farmer’s Market and available employment positions in Monticello.

OLD BUSINESS:

None

NEW BUSINESS:

a) Ordinance 2020-40: Supplement 22 of the City of Monticello Municipal Code

Terry Summers presented the following:

This Ordinance adopts Supplement 22, which formally incorporates the changes made from previously adopted Ordinances approved January through June of 2020, and identified in Exhibit A, into the Municipal Code.

A motion was made by Alderwoman Sebens, and seconded by Alderman Frerichs, to waive the second reading of this Ordinance. The motion passed 8-0. A motion was made by Alderman Koon, and seconded by Alderman Brock, to approve Ordinance 2020-40. The motion passed 8-0.

b) Resolution 2020-41: Resolution for Improvement Under the Illinois Highway Code – Sage Drive

Terry Summers presented the following:

The Monticello City Council approved \$60,000 in the current budget for preliminary engineering to be completed for the resurfacing of Sage Drive, curb and gutter replacement, and ADA sidewalk ramps from Market Street to William Street. Improvements will also occur on William Street at the Charter Street intersection and at the Sage Drive intersection. ESCA Consultants has provided staff with a proposal in the amount of \$59,200 to perform all of the necessary preliminary engineering.

A motion was made by Alderwoman Harlan, and seconded by Alderwoman Sebens, to approve Resolution 2020-41. The motion passed 8-0.

c) Ordinance 2020-42: An Ordinance Approving a Zoning Text Amendment Regarding Cannabis Businesses

Terry Summers presented the following:

The Monticello City Council has placed recreational cannabis on numerous Council agendas and has discussed the same throughout 2019 (July 8, July 22, August 12, August 26, September 9, and September 23) prior to adult use recreational cannabis becoming legal in the State of Illinois on January 1, 2020.

On September 9, 2019 the City Council adopted a 3% sales tax with Ordinance #2019-51.

On September 16, 2019 the Planning and Zoning Board held a public hearing regarding possible text amendments to the zoning code (moratorium).

The Planning and Zoning Board recommended approval of the moratorium by a vote of 3 yeas, 2 nays and 2 absent.

On September 23, 2019 the City Council approved a moratorium on adult use recreational cannabis with Ordinance #2019-56, providing notice to any possible developers that the City is discussing recreational cannabis and has yet to decide on its allowance or to opt out.

*The moratorium is due to expire on October 1, 2020.

In January of this year, the City Council passed Ordinance #2020-02, thus addressing the provisions of local law enforcement and their regulation of adult use recreational cannabis.

On July 13, 2020 some of the City Council members indicated a desire to opt out of allowing adult use recreational cannabis businesses after some discussion.

On August 17, 2020 the Planning and Zoning Board conducted a public hearing regarding both, adult use recreational cannabis and medical cannabis businesses.

The Planning and Zoning Board recommended approval of the text amendments attached hereto by a vote of 4 yeas, 3 nays, and zero absent.

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In short, the text amendments inclusive to Ordinance 2020-42 are as follows:

Cannabis Craft Grower, Cannabis Cultivation Center, Cannabis Dispensary, Cannabis Infuser, Cannabis Processor, Cannabis Transporter, and On-Premise Cannabis Consumption Establishment will all be **prohibited uses**.

Medical Cannabis *Cultivation Center* will be **allowed** in “I-1” and “B” zoning districts while meeting or exceeding the distance separation requirements from protected uses (2,500’ from schools and day care facilities and 1,000’ from green space and places of worship) with a Conditional Use also being required.

Medical Cannabis *Dispensary* will be **allowed** in “B” zoning districts only while meeting or exceeding the distance separation requirements from protected uses (1,000’ from schools, day care facilities, green space, and places of worship) and with a Conditional Use also being required.

Attorney Dan Bolin was present to assist the Council in arriving at a decision regarding Cannabis Business, as the Moratorium will expire soon (October). Attorney Bolin reminded everyone that this text amendment is about Cannabis Businesses. Recreational Cannabis Businesses can be prohibited, but we cannot reasonably prohibit Medical Cannabis Businesses. Alderman Frerichs does not think the City should prohibit Cannabis Businesses, and feels opting out is a bad decision. He feels the City should be proactive and stated this decision should be a business decision, not a personal one. While Alderman Frerichs respects individual decisions, he asked the Council to share background and research behind the decision if voting yes, and asked to, at a minimum, extend the Moratorium so that we can do further study and research. Alderman Burriss respects others’ opinions as well, and stated he has done research. Discussion ensued regarding the “black market” and other concerns. Alderman Burriss does not feel the City would reap benefits as promised if Cannabis Business was allowed, and stated he feels we must make a decision as this has been discussed for a year. Alderman Brock clarified with Attorney Bolin that the City can restrict recreational Cannabis business but not medical, and questioned what we gain from medical Cannabis facilities. Attorney Bolin answered we would not receive local sales tax. Alderman Koon agrees with Alderman Frerichs, stating by opting out we are not opting in, and voiced his concern that by completely opting out we would never hear about potential business ventures. Mayor Stoner questioned if the Ordinance can be changed if we vote Cannabis Business in, and Dan Bolin replied we would be able to do so through Public Hearing. Mayor Stoner also clarified with Attorney Bolin that this Ordinance opts out of all Cannabis Business except medical.

A motion was made by Alderwoman Sebens, and seconded by Alderwoman Harlan, to waive the second reading of this Ordinance. The motion passed 5-4, with the Mayor’s vote breaking the tie. A motion was made by Alderwoman Harlan, and seconded by Alderman Burriss, to approve Ordinance 2020-42. The motion passed 5-3.

ALDERMEN’S/ALDERWOMEN’S REPORT:

None

POLICE CHIEF’S REPORT:

None

FIRE CHIEF'S REPORT:

Chief John Rupkey presented the Fire Report to the Council and was available for any comments or questions from the Council.

CITY ADMINISTRATOR'S REPORT:

Terry Summers reported on Oil and Chip beginning tomorrow, as well as the upcoming 2021 Budget talks. The same format that has been used in the past will be in place this year, with two-person committees meeting for Budget Study Sessions. Study sessions will begin in early October and will be scheduled prior to Council Meetings.

A motion was made by Alderman Brock, and seconded by Alderwoman Sebens, to adjourn the meeting at 7:54 pm.

Respectfully Submitted by:

Jill Potts

City Clerk