



**Village of Algonquin
Minutes of the Committee of the Whole Meeting
Held in Village Board Room
October 8, 2019**

AGENDA ITEM 1: Roll Call – Establish a Quorum

Trustee Jim Steigert, Chairperson, called the Committee of the Whole meeting to order at 7:30 p.m. Present: Trustees Jim Steigert, Janis Jasper, Jerry Glogowski, Debby Sosine, Laura Brehmer, John Spella, and President Schmitt. A quorum was established.

Staff Members Present: Village Manager, Tim Schloneger; Superintendent, Jason Schutz; Police Chief, John Bucci; Deputy Village Clerk, Michelle Weber; and Village Attorney, Kelly Cahill.

AGENDA ITEM 2: Public Comment – Audience Participation

Ms. Karen Werle, Algonquin – Spoke to express her concerns regarding the implementation of cannabis sales in the Village of Algonquin. She opposes cannabis sales in town and read information she obtained from WebMD and other websites explaining the effects of cannabis use in adults and adolescence. She concluded her message by saying, the law allows alcohol sales to adults over 21 but children continue to use alcohol, as it is the number one drug used by adolescence.

Chris Kious from the Kane County Board, also an Algonquin resident, highlighted some of the items recently passed by the County Board: Cannabis of 2.5 tax for Municipalities; Cannabis sales in unincorporated Kane County will be addressed at the next Board Meeting; KDOT will implement a reduced toll plan for Longmeadow Parkway toll users; the Board passed their budget; a 7:5 RTA tax was implemented; the third Saturday of September each year as Our Fox River Day.

President Schmitt asked if all sections of Longmeadow Parkway will be complete in 2020. Mr. Kious explained the roadway will be complete in 2020 but the toll portion is scheduled to be completed in 2021. Ms. Jasper asked if the decision has been made in the incorporated area to allow or not allow cannabis dispensaries. Mr. Kious indicated, the decision has not been made and that topic is on the agenda for next week.

AGENDA ITEM 3: Community Development

None

AGENDA ITEM 4: General Administration

Tim Schloneger reporting

A. Consider an Ordinance Amending the Municipal Code of the Village of Algonquin by the addition of Section 32.09 in Chapter 32, Occupation and Other Taxes, Imposing a Municipal Cannabis Retailers' Occupation Tax

Mr. Schloneger Presented A local tax ordinance for consideration to preserve the option of implementing a tax on adult-use cannabis.

The Village may impose a tax upon the sale of adult-use cannabis in 0.25% increments up to a maximum of 3%. The tax would be collected by the Illinois Department of Revenue which would withhold 1.5% of the total collected to cover their cost of collecting the taxes.

Other taxes, including state and home-rule sales taxes would be imposed on the sale as well. A share of the State sales tax (1% of the State's 6.25% tax) and all home-rule sales taxes would also be received by the Village.

The implementation of the occupational tax is a standalone consideration, and in no way commits the Board to allowing cannabis retailers in the Village. Because this tax takes months to implements, this is something the Board needs to put in place as soon as possible in the event the Board does allow a cannabis dispensary in Algonquin.

President Schmitt asked if they Committee was open to discuss the allocation of the funds if approved.

Mr. Schloneger added, since this is a “sin tax” he feels that these funds should not be allocated to the general fund and the funds should go to a specific project such as one time capital projects or restoration of wetlands. Other communities have used their “sin tax” (i.e. red light camera) revenues to fund pensions and other mandatory items within the budget. Consequently, when resident’s habits change, the funding diminishes.

Ms. Brehmer asked if the Police Department would give a presentation showing what the costs and other impact would be if the Village did allow a dispensary. This way, we can have an informative discussion on the topic.

Mr. Schloneger explained Chief Bucci sent two officer to a conference in Colorado to gather information regarding dispensaries. Chief is currently putting together a packet to go over their findings to present to staff and the Board.

Officer Mark Zahara and Officer Kyle Neamand attended the 2019 Marijuana Management Symposium in Denver, Colorado. The symposium was held October 1st-3rd, where they had the opportunity to attend classes and discuss some of the challenges faced by Law Enforcement regarding the legalization of recreational Marijuana.

The officers put together a brief snapshot of some of the topics that were addressed which included: The initial uptick of criminal activity; there was also an uptick in residential burglaries, but that was mainly due to home growers; the security around the dispensary was a big area of concern, dumpster diving, looping (going from dispensary to dispensary) to sell or push off, the odor; increase of homeless/vagrants. He is still gathering information from Officers Zahara and Neamand and once he has all the information he will present this to the Board. He also indicated, that the way this is set up with the State we cannot license it. If someone was to sell to an underage person the only thing that can be done, that is if the Village puts an Ordinance into place prohibiting sales to underage, is cite the person that sold it with a municipal citation, not the business. The Village has no other recourse and we cannot set up any type of licensing. Ms. Cahill confirmed Chief Bucci’s statement. Chief Bucci continued that if the Board does decide to allow dispensaries, he would like to be included in the discussion regarding the various Ordinance. It was asked, what is it going to cost the Police Department, he does not have those numbers yet and most numbers will be projections. We don’t know what it will cost until the law goes into effect. He stood by the Illinois Chiefs and said he is opposed to this and will continue to be opposed to it. He has many concerns about it law enforcement wise and how we are going to deal with it. Some of his concerns are how do we deal with the odor, people residing in the underpass, tent city, etc. How do we, as a Village handle such things?

Mr. Glogowski asked if there were testing standards comparable to DUI testing for cannabis use? Chief indicated there is a limit but there is not an immediate test such as breath test, where you blow into a machine and it shows you were your blood alcohol level it. They do not have such a test for cannabis, at this time you have to receive a blood test to check THC levels.

President Schmitt indicated that the laws in Colorado do not necessarily coincide with the implementation in Illinois. In Colorado, you can have a dispensary on every corner where in Illinois they will gradually, over years, allow dispensaries to increase to up to 300 in the entire state. He assumes at the most there would be two in the County. As far as hitting growers, the only people in the State of Illinois that are allowed to grow cannabis are people with medical marijuana licenses.

Ms. Sosine asked, today we are addressing the tax Ordinance. In the future we will have to discuss Ordinances for allowance for sales and another for public use, correct? Ms. Cahill confirmed this is correct.

Ms. Jaspers asked if Tim felt it would be appropriate if the funds from the tax could be used for detection training for the Police Staff.

Mr. Schloneger indicated that it would be appropriate to allocate a portion of said tax toward training.

Consensus of the Committee of the Whole was to move this on to the Board for approval.

B. Consider Certain Items Surplus

In the packet is a list of equipment that is requested to be declared surplus. The equipment is no longer functional or beyond its useful life and no longer in service. Due to the age of the equipment, the equipment will be sent to an electronics recycling program. Prior to disposal the equipment would be completely wiped and destroyed.

Consensus of the Committee of the Whole was to move this on to the Board for approval.

AGENDA ITEM 5: Public Works & Safety
Jason Schutz reporting

A. Consider an Agreement with Artistic Holiday Designs for the Downtown Holiday Decorations.

Staff has researched firms to provide holiday decorations that will respect our new downtown improvements. Artistic Holiday Designs, a national firm with many large clients in their portfolio, provided a quote which included a mock-up of what they proposed. Other quotes were much higher or only provided product without any installation services, maintenance, or storage. Artistic Design is a known quality company. Although the decorations for downtown did not appear in the 2019/2020 budget, it is recommended that the funding for this comes from the landscape maintenance for downtown approved in the General Services budget and the additional funding be covered with funds remaining from the playground mulch program.

Staff recommends contracting with Artistic Design for the Downtown Holiday Decorations in the amount of \$34,375.33.

Mr. Schloneger added, he feels the \$8,241 cost for the GMC decorations is not needed. The money would be better used to either add to the downtown decorations or remove the "Village Hall Tree and Décor Package" entirely from the proposal.

Following some discussion and assurances that the GMC building would be decorated for the holidays as in the past, it was the consensus of the Committee of the Whole was to move this on to the Board for approval eliminating the Village Hall Tree and Décor Package line items in the amount of \$8,241.66.

B. Consider an Agreement with Abbey Paving for the Algonquin Lakes Basketball Court Rebuild Project

Earlier this year staff went to bid on the Algonquin Lakes Basketball Court Project and received no bidders. As such, we believe the best approach to getting the work completed is to incorporate it in to the Kelliher Park Parking Lot work. The contractor is amenable to this added work and has proposed pricing at \$63,330.52. We recommend reducing this cost by reusing the basketball standards and benches, which are still serviceable. This brings the price down to \$50,087.02. The budget for this project was \$30,000. The balance can be utilized from the proposed engineering costs for Willoughby Farms Park in the same budget. This project is on hold until the results of the comprehensive parks plan. It is therefore staff's recommendation to award the Algonquin Lakes Basketball Court Rebuild Project to Abbey Paving of Aurora, IL. in the amount of \$50,087.02.

Questions were raised asking if the courts are used enough to justify the cost of the restoration and if Abbey Paving was qualified to perform the restoration.

Mr. Schutz indicated yes they were used often and he was not sure of the qualifications but he would research and get back to the Committee with his findings.

Following discussion, it was the consensus of the Committee of the Whole was to move this on to the Board for approval.

C. Consider an Agreement with Trees R Us for the 2019/2020 Winter Tree Pruning Services

The Village participated in a joint bid for tree trimming. With the increase in tree sizes and the challenges of staffing, it is a natural and expected occurrence for us to transition in to tree pruning assistance. To return to our cycle pruning schedule of every five years, one-fifth section of the community was submitted for bid. Trees above six inches in diameter will be pruned by contractors, while the trees smaller will be pruned by in-house staff. This new process will utilize funding realized from staff reduction. It is staff's recommendation to award the 2019/2020 winter tree-pruning program to Trees R Us of Wauconda, IL. in the amount of \$149,313.75 (2175 trees).

After clarifying that the cost of the trimming is locked in whether the other Municipalities move forward with their contracts and that the contractors staff are qualified Arborists, it was the consensus of the Committee of the Whole was to move this on to the Board for approval.

D. Consider an Amendment to the Contract with Christopher Burke Engineering for the Engineering Services for the Terrace Hill Improvement Infrastructure Repairs and Rehabilitation Project

Public Works has been working on the Terrace Hill improvements for several years with the scope expanding to include a larger area and numerous infrastructure repairs and rehabilitation.

In the last several months numerous chronic/nuisance drainage challenges have been observed and identified through resident complaints and our engineers verifying the issues on four different sites. Drainage issues like these are not only maintenance and nuisance issues for the residents, these specific areas also have had a detrimental impact on the pavement surface and the base below the surface.

This has necessitated additional field survey work and design that will be incorporated into the plans so that these issues can be corrected. The additional work described above is estimated to cost, \$6,328.00 and is an amendment to the original engineering design agreement with CBEL.

Included in this amendment is a sub-contract between CBEL and METRO Strategies for the Public Relations related to this project. The area and number of residents who will be impacted by this project, METRO will provide great support as they have with several of the other projects.

METRO Strategies fee is not to exceed \$25,000 making the total amendment \$31,328.00

Ms. Jasper asked, the map displayed for work to be done at the Terrace Hill meeting last week, did it included all the homes and areas to be addressed within the proposal. Mr. Schutz indicated, yes that was everything.

Consensus of the Committee of the Whole was to move this on to the Board for approval.

E. Consider an Intergovernmental Agreement with McHenry County for McHenry County Gang Task Force

John Bucci reporting

Staff has been approached by McHenry County to continue in the Gang Task for by entering into an intergovernmental agreement. The Gang Task Force agreement commits the Police Department for a five-year term to provide law enforcement services at events and operations when requested by participating agencies. The Police Department has asked for assistance from the Task Force in the past for Founder's Days and have provided officers for other festivals throughout the county.

Consensus is to move this forward for approval.

AGENDA ITEM 6: Executive Session

None

AGENDA ITEM 7: Other Business

Ms. Sosine indicated that Eastview Elementary School received the National Blue Ribbon Award and she would like to honor Principal, Jim Zursin and the Eastview Staff. She also noted, Principal Jim Zursin has been recognized for his education efforts for the last two years.

Ms. Brehmer and Ms. Jasper attended the Fox Valley Sustainability plastics seminary and amongst the many things she learned, the havoc plastic bags play on the recycling centers community should be noted. She suggested that we educate residents through social media and consider addressing single use plastic bags. Also, she attended the ALITHFPD open house and they demonstrated new technology home fire suppression system. This new system design uses the watermain within the house and is not a separate water system coming in, which would bring the costs down. Lastly, she would like to thank Tim for sharing the 5 Year budget pertaining to environmental projects. She knows the Village is spending millions to repair these areas but she would like to know what is being put in place to ensure the standards for new development now to would prevent these types of needed repairs and reconstruction projects of the natural areas. Mr. Schloneger explained in the

year's stricter practices have been put into place to ensure the new developments natural areas are to are standards. Also, our current engineering firm reviews these plans to ensure everything meets our strict standards and with every new development it is required than an ecologist reviews the plans and reports back to the Village with their findings.

AGENDA ITEM 8: Adjournment

Being no further business, the meeting was adjourned at 8:28 pm.

Submitted by: Michelle Weber, Deputy Village Clerk