

Clerk's Office
Village of Westmont

MINUTES OF THE BOARD MEETING HELD **Thursday, October 24, 2019.**

Mayor Gunter called the meeting to order at **6:00 P.M.**

WESTMONT VILLAGE BOARD MEETING ROLL CALL:

PRESENT: Mayor Gunter P Clerk Szymiski P

TRUSTEES: Addington P Barker P
Barry P Guzzo P
Liddle P Nero P

STAFF:

May <u>P</u> (Village Mgr)	Parker <u>P</u> (Finance Director)	Sylvester <u>A</u> (Community Dev. Director)
Brainerd <u>P</u> (Assistant HR Director)	McIntyre <u>A</u> (Communications Director)	Liljeberg <u>A</u> (I.T. Manager)
Chief Gunther <u>A</u> (Police Dept.)	Dep Chief Thompson <u>A</u> (Police Dept.)	Dep Chief Gruen <u>P</u> (Police Dept.)
Chief Riley <u>P</u> (Fire Dept.)	Dep Chief Connelly <u>A</u> (Fire Dept.)	Richards <u>A</u> (Deputy Clerk)
Ramsey <u>P</u> (P.W. Director)	Noriega <u>A</u> (Assistant P.W. Director)	Mulhearn <u>P</u> (Deputy Liquor Commissioner)

ATTORNEY: Zemenak P Carrara A

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS:

Chicago Tribune A Independent: Daniel Smrokowski A
Bugle A

CHAMBER OF COMMERCE DIRECTOR: Forssberg - P

VISITORS:

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

Mayor welcomed everyone to the meeting.

OPEN FORUM:

None.

VOTING KEY: **A=ABSENT** **AB=ABSTAIN** **N=NO** **W=Withdrawn**
 P=PRESENT **Y=YES** **R=RECUSE**

Note: *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor's, Manager's, Clerk's and Trustees' comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

VOTING SUMMARY

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
TRUSTEE ADDINGTON	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE BARKER	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE BARRY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE GUZZO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE LIDDLE	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

REPORTS

Mayor Gunter

- Holly Days is rapidly approaching. The tree decorating day and Lions Breakfast will be on Sunday, November 24. The Ugly Sweater 5K and Frosty and Friends Parade will be Saturday, November 30 in downtown Westmont. More information can be found by visiting hollydaysfestival.com.
- "Walking to Hsinchu County" is in the final week. The results will be announced soon.
- The 98th Anniversary Celebration will be celebrated on November 7th. At that time, we will be receiving the 4th installment of our historical mural project. Everyone is invited to attend.

Village Clerk Szymski

- The Veterans Day Ceremony will be November 11th at 11:00am at the Westmont Jr. High. The public is invited to attend.
- Free Leaf Pick-up will begin November 4th. Residents can put out an unlimited amount of raked leaves from November 4 - 29th. Leaves must be in kraft paper bags, no sticker is needed, however regular yard waste will still require a sticker. Please visit our website for more details.
- Complimented the Fire Department on their excellent Open House. It was wonderful and everyone had a great time.
- Compliment Larry and the whole group who was in charge of the Trick-or-Treat Trail. The kids had a wonderful time.

Trustee Addington

- The Trick-or-Treat Trail was phenomenal. The Lions Club passed out 800 mint rolls and ran out.
- The Park District Haunted Forest was hugely successful and it was reported that 1,100 people came through that night.

- The Lions Club Oktoberfest was a great success and raised a few thousand dollars for the Lions Club Organization. Congratulations to the organizers.
- On November 7th the Peace Poster Contest winners will be announced.
- The Legislative Committee for DuPage Mayors and Managers met Tuesday morning. The lobbyist reported that there will be 6 Days of veto session. Some of the topics that will be discussed are as follows:
 - Public safety pensions and the consolidation
 - The governor announced that the money expended from Roden Bridge will be 23 billion dollars.
 - Revisions to the gaming laws
 - Technical amendments regarding tax revenue for adult use cannabis
 - Coffee with the legislators was well attended and they looked at 20 bills
 - House bill 3887 concerns the banning of flavored tobacco products. This was a bill that was looked at and that may or may not be discussed and the recommendation was to support.
 - House Bill 3911 is about regional transportation authority. Appointments of the RTA would be taken away from the County Board and it would be put it in the governors hands.
 - The next Mayors and Managers meeting is scheduled for December 3rd and will be the last meeting of the year.

Trustee Guzzo

- The next Public Safety Committee meeting will be November 21, 4:30pm at Village Hall.
- Reminded everyone to "Fall Back" on November 3rd. The time will change and batteries for the smoke detectors and CO should be changed also.
- The Westmont Police Department will host a Drug Take-back Day with Marianos from 10:00am - 2:00pm on October 26, 2019. Marianos, 150 W 63rd Street and the Police Department will serve as locations for dropping off unused prescriptions. Pills, powders, and patches will be accepted at both locations, however needles will only be accepted at the Westmont Police Department collection site and all needles must be secured in a Sharps container. The program will not accept radioactive medicine, liquids, creams, inhalers or epipens. For more information on disposing of certain prescriptions not accepted at the event, please visit the DuPage County Health Department website at www.dupagehealth.org/rxbox.
- The Fire Department Open House was a huge success and it was a nice evening.

Trustee Barry

- The Rotary Club Community Calendar will be delivered to homes in the first week of December. Chief Gunther took all of the pictures.
- The next meeting for Economic Development will meet at 9am on November 6th at Village Hall.
- Congratulated Karen Butterfield of State Farm on her ribbon cutting. She is located on Chicago Avenue.
- The Pet Promenade and Touch a Truck will be at Ty Warner Park on Sunday from 11:00am - 2:00pm. Free pumpkins will be given to the first 50 attendees. There will be a petting zoo, a sheep herding demonstration, Police K-9 demonstration, contests, prizes and more. The event is being sponsored by the Westmont Chamber of Commerce.

Trustee Nero

- The next Public Works Committee meeting will be 4:30pm on December 19th at Village Hall.
- "OAKtober" will be happening at Maercker School on October 28th with the Ecology Club Students.
- Had an awesome time at the Fire Department Open House. Staff did a great job and congratulated the Fire Chief on a successful event.
- The Trick-or-Treat fest was awesome and the pumpkin smashing event is always something to look forward to. Thanked the staff and all of the volunteers. It was a lot of fun.

Trustee Liddle

- Recapped the Administration Finance Committee Meeting that happened earlier in the evening.
 - Tim King was sworn in as Lieutenant for the Fire Department
 - Eric Balskovich as Captain for the Fire Department.
 - There was a presentation done by Susan Frick and Mary Fergusson who would like to see Westmont become a dementia friendly community.
 - Discussed the parking meters along Burlington Avenue.
- Westmont West Fest had its best turnout ever. There was a new event which was the Manning School Monster Mile. That was a fundraiser by the PTO for Manning School. Many people participated in the events and winners will be announced at the next meeting.
- Voting has begun for the Scarecrows in town. Visit www.westmontchamber.com to place your vote.

Trustee Barker

- Recapped the Westmont First meeting. The Committee talked about the Census and the importance of the complete count. The next meeting will be November 18th at 6:00pm at the Westmont Public Library.
- The Environmental Improvement Committee meeting will be December 2nd, 6:00pm at the Westmont Public Library.
- Holiday Lights will be collected starting on November 12th. There are two drop off locations, one is at the Westmont Public Library and the other is at the Johanik Fire Station.
- Pumpkin Composting and Light Bulb Recycling will be Saturday, November 2nd at 9:00am - 12:00pm. Bring your pumpkins for composting and any light bulbs (T6 & T8 only) that need to be recycled.

ITEMS TO BE REMOVED FROM CONSENT AGENDA:

No items were removed from the consent agenda.

(1) CONSENT AGENDA [Omnibus Vote]:

Village Manager May addressed the Board on this agenda item.

Motion by **Trustee Liddle** to approve the consent agenda.

(A) BOARD MEETING MINUTES

Board to consider approving the minutes of the October 10, 2019 Village Board Meeting.

(B) FINANCE ORDINANCE #12: Dated **October 24, 2019** in the amount of **\$1,641,629.55**

(C) PURCHASE ORDERS

20201342	Harris Computer Systems	\$ 33,088.79
20201341	Westmont Fire Department 2% Association	40,507.40
	TOTAL OF PURCHASE ORDERS	73,596.19
	TOTAL OF PURCHASE ORDERS & FINANCE ORDINANCE #12	\$1,715,225.74

(D) 2019 WESTMONT HOLLY DAYS

Board to consider an ordinance approving the following requests from the Westmont Holly Days Committee for the 2019 Westmont Holly Days Opening Ceremony and Ugly Sweater 5K on November 30, 2019:

- Permit amplified sound in downtown business district near Westmont Centre 4pm to 8pm
- Close sections of several streets from Naperville Road to 55th Street, from 4pm to 6pm, for the Holly Days Parade
- Close West Quincy Street from Cass Avenue to Adams, from 4pm to 6pm, for the Holly Days Parade
- Close North Linden from Burlington to Chicago Avenue for parade staging area 4pm to 6pm
- Close sections of several streets between Cass Avenue and Williams Street from Burlington to Traube, from 7am to 10am, for the Ugly Sweater 5K.

Seconded by **Trustee Addington** and the motion passed.

VOTE ON MOTION #1

Ayes: Addington, Barry, Barker, Guzzo, Liddle, Nero

Nays: None

Absent: None

UNFINISHED BUSINESS

There is no unfinished business.

NEW BUSINESS

(2) ZONING TEXT AMENDMENT - CRAFT ALCOHOLIC BEVERAGES

Village Manager May addressed the Board on this item.

Motion by **Trustee Nero** to consider consider an ordinance approving text amendments to allow microbreweries, brewpubs and related craft alcoholic beverage producers and dispensers in the B-1, B-2, C-1 and M zone districts.

Seconded by **Trustee Addington** and the motion passed.

VOTE ON MOTION #2

Ayes: Addington, Barry, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(3) ZONING TEXT AMENDMENT - CANNABIS

Village Manager May addressed the Board on this item.

Public Comments:

1. Deshwn Huo, owner or properties on 59th Street & Cass Avenue - Does not support cannabis businesses and would like to see Westmont opt out. Presented a petition from Westmont businesses and residents.
2. Elitzo, resident of Chapel Hill Court in Westmont - Does not support cannabis businesses and would like to see Westmont opt out. Talked about marijuana drug addiction.
3. Fran Bixsler, Lisle Resident - Wants to see Westmont opt out .
4. Diana Lee, Deming Place - Asks Westmont to opt out.
5. Resident - Asks Westmont to opt out.
6. Shobinzau, Shadow Lake Court - Is against selling marijuana in Westmont. Would like to see Westmont opt out of adult-use cannabis businesses in Westmont.
7. Stella, 219 Carlisle Ave - Does not support cannabis businesses in Westmont and supports opting out.
8. Nana Shan, resident on 60th Street in Westmont, and does not support marijuana businesses.
9. Chen Liu - Would like to see Westmont opt out.
10. Sin Jong, 111 Carlisle Ave - Does not want marijuana sales in Westmont.
11. Johnathan Murphy, 33 James Drive - Supports cannabis businesses and does not want Westmont to opt out.
12. Maria Wagner, Downers Grove resident - Would like Westmont to opt out of adult use cannabis.
13. Cynthia Hopkins, Hinsdale resident - Talked about sales tax impact of adult use cannabis and asks the Village Board to please opt out.
14. Resident - Believes Springfield made a bad decision and urges Westmont to opt out.
15. May Woo, Lisle Resident - Urges Westmont to opt out of adult use cannabis sales.

Public Comment was closed at 7:30pm

Trustee Comments:

Trustee Barker stated that the zoning can always change.

Motion by **Trustee Addington** to consider an ordinance adopting zoning ordinance text amendments to regulate adult-use cannabis.

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #3

Ayes: Addington, Barry, Guzzo, Liddle, Nero

Nays: Barker

Absent: None

(4) MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX

Finance Director Parker addressed the Board on this item.

Trustee Comments:

Trustee Barker stated that he does not believe the State of Illinois made the right decision with the legalization of marijuana.

Attorney Zemenak said that the tax does not become effective until January 1st and it can not be implemented until September 1st, by the language of the act. The Village can collect a maximum of 3% as per the Act.

Motion by **Trustee Addington** to consider an ordinance amending Chapter 74 of the Westmont Code of Ordinances to adopt a municipal cannabis retailers occupation tax.

Seconded by **Trustee Barry** and the motion passed.

VOTE ON MOTION #4

Ayes: Addington, Barry, Guzzo, Nero

Nays: Barker, Liddle

Absent: None

(5) MUNICIPAL CANNABIS BUSINESS PROHIBITION

Village Manager May addressed the Board on this item.

Village Board Comments:

Trustee Addington commented that since the State has legalized marijuana, the sales will happen in DuPage County. The decisions tonight are not a reflection of whether or not marijuana is good or bad, only if we want a dispensary in our town or not.

Trustee Nero agrees with Trustee Addington.

Trustee Barker does not agree with the legalization of marijuana for the State of Illinois. Asks if we can opt out and put it on a referendum to get the opinions of the citizens in our community.

Trustee Guzzo mentioned that we can't stop people from using it in our Village because the State made it legal.

Trustee Barry stated that a cannabis dispensary would be beneficial. He shared a personal story about his wife's medical condition and medical marijuana has helped. The State has made it legal.

Trustee Barker commented that this is a very good Board.

Mayor Gunter talked about the comments that have been received from the community.

Motion by **Trustee Addington** to consider an ordinance amending Chapter 22, Businesses, of the Westmont Code of Ordinance to prohibit cannabis business establishments.

Seconded by **Trustee Barker** and the motion failed.

VOTE ON MOTION #5

Ayes: Barker

Nays: Addington, Barry, Guzzo, Liddle, Nero

Absent: None

MISCELLANEOUS:

- None

(6) CLOSED SESSION:

Mayor Gunter requested an executive session to discuss:

1. Purchase of property for the use of the Village pursuant to section (2)(C)(5) of the open meetings act.

Motion by **Trustee Addington** to move into executive session at 7:46 pm.

Seconded by **Trustee Barry** and the motion passed.

VOTE ON MOTION #6

Ayes: Addington, Barry, Barker, Guzzo, Liddle, Nero

Nays: None

Absent: None

(7) RECONVENE REGULAR BOARD MEETING:

Motion by **Trustee Addington** to move out of executive session and to reconvene the regular Board meeting at 8:02 pm.

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #7

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero
Nays: None
Absent: None

(8) ADJOURNMENT Motion by **Trustee Nero** to adjourn the meeting. Seconded by **Trustee Guzzo** and the motion passed.

VOTE ON MOTION #8

Ayes: Addington, Barker, Barry, Guzzo, Liddle, Nero
Nays: None
Absent: None

MEETING ADJOURNED AT 8:03 P.M.

ATTEST:

APPROVED:

Virginia Szymiski, Village Clerk

Ronald J. Gunter, Mayor

Dated this 7th day of November, 2019