

**VILLAGE OF RIVER FOREST
REGULAR VILLAGE BOARD OF TRUSTEES MINUTES
Monday, August 26, 2019**

A regular meeting of the Village of River Forest Board of Trustees was held on Monday, August 26, 2019 at 7:00 p.m. in the Community Room of Village Hall, 400 Park Avenue – River Forest, IL.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:00 p.m. Upon roll call, the following persons were:

Present: President Adduci, Trustees Bachner, Brennan, Cargie, Henek, O’Connell, Vazquez

Absent: None

Also Present: Village Clerk Kathleen Brand-White, Village Administrator Eric Palm, Assistant Village Administrator Lisa Scheiner, Assistant to the Village Administrator Jonathan Pape, Management Analyst Sara Phyfer, Police Chief James O’Shea, Fire Chief Kurt Bohlmann, Public Works Director John Anderson, Finance Director Rosemary McAdams, Village Attorney Greg Smith

2. PLEDGE OF ALLEGIANCE

President Adduci led the pledge of allegiance.

3. CITIZEN COMMENTS

Anna Schnedorf, 610 Monroe. Ms. Schnedorf stated that the parking issues on the 600 block of Monroe have not been resolved. She stated the number of cars on the block and their lengths of stay is problematic for elderly residents and the street sweeper.

Administrator Palm reported that Staff is working with the third party vendor on implementing parking for Green Line users on Central. He noted that he and Chief O’Shea have Ms. Schnedorf’s issue on their radar.

Trustee O’Connell expressed concern about continuing to address parking issues individually and reiterated the need for a parking study. The Board discussed possible solutions. Administrator Palm advised that an ADA parking spot would provide immediate relief and that a parking study would take months to complete and implement.

Jan Saeger, 435 William. Ms. Saeger asked for clarification about item 5G in terms of which water tower was being painted. Administrator Palm stated that it is the one located by Public Works on Forest. President Adduci noted the other water tower nearby is CTA property.

4. ELECTED OFFICIAL COMMENTS & ANNOUNCEMENTS

a. Swearing-In of New Fire Lieutenant

Chief Bohlmann introduced Fire Lieutenant Michael Smith. Village Clerk Brand-White swore-in Lieutenant Smith.

b. Recognition of River Forest Little League 12U 2019 Illinois State Champions and Great Lakes Regional Runner-Up

President Adduci summarized the Little League team's successes, stating they have made River Forest proud. She thanked them for their courage, sportsmanlike conduct, and their desire to win, and then recognized each player.

Trustee O'Connell thanked everyone involved in organizing the rally and parade for the Little League team, as well as to the community for supporting the event. He reminded everyone to be mindful that school is back in session and wished everyone a safe school year.

Trustee Henek stated she was sorry to have missed the Little League rally, but noted the success of the Food Truck Rally. She reminded everyone that the Congressman Davis Town Hall meeting is August 27. She also congratulated Chief O'Shea on the Police Department's award for the Traffic Safety Challenge.

Trustee Brennan stated she attended the Quarterly Community Crime Prevention meeting and noted the quality of the presentations. She reminded everyone of the LemonAid event on September 11. In reference to the Little League parade and rally, Trustee Brennan noted that the kids, parents, and coaches will always remember this event. She expressed hope that kids seeing their parents active in the community will encourage them to follow in their footsteps.

Village Clerk Brand-White congratulated Fire Lieutenant Smith and the Little League team. She noted the great opportunity to learn about sportsmanship.

Trustee Vazquez thanked the Police Department for their efforts to donate bicycles to Working Bikes. He congratulated Chief Bohlmann and Lieutenant Smith and thanked them for their service. He echoed the acknowledgements of the Little League team and thanked the coaches, parents, and community for their support.

Trustee Cargie agreed with the other comments and remarked that it was cool to watch the Little League team play on ESPN.

Trustee Bachner echoed the trustees' sentiments and noted it was wonderful to watch the Little League team on ESPN. She announced that she and Assistant to the Village Administrator Pape attended a webinar with the Metropolitan Mayor's Caucus to kick off the April 1, 2020 Census Day efforts, and that the first Complete Count Committee meeting is August 27. She noted that 30-40 community organizations and residents are involved in the committee and that they will work to continue to find ways to get information disseminated and ensure a complete count.

In response to a question from President Adduci, Mr. Pape stated Dominican and Concordia Universities are on the Committee but there is nothing official yet about how those students will be counted.

President Adduci congratulated Chief O'Shea, Lieutenant Smith and echoed the sentiments regarding the Food Truck Rally and Little League. She remarked that she is proud of the players and that they put River Forest on the map. She reported that she and Administrator Palm had somewhat productive meetings with Union Pacific and that Senator Kimberly Lightford was also in attendance. President Adduci also reminded everyone that the Congressman's Town Hall meeting is tomorrow and that it would be an opportunity for residents along the UP lines to speak with him about their concerns.

5. CONSENT AGENDA

- a. Regular Village Board Meeting Minutes – July 22, 2019
- b. Executive Session Village Board Meeting Minutes – July 22, 2019
- c. Right-of-Way Encroachment Waiver and Agreement for an Irrigation System Located at 1201 Park
- d. Right-of-Way Encroachment Waiver and Agreement for an Irrigation System Located at 1434 Franklin
- e. Amend Sections 3-3-7 and 6-7-2 of the Village Code Regarding Hours of Work – Ordinance
- f. Amend Section 8-6-22 of the Village Code with Regard to Prohibiting the Sale of Flavored Tobacco Products – Ordinance
- g. Award of Bid and Contract for Water Tower Rehabilitation Project to Seven Brothers Painting, Inc. for \$284,200
- h. Monthly Department Reports
- i. Monthly Performance Measurement Report
- j. Financial Report – July 2019
- k. Accounts Payable – July 2019 – \$1,588,082.88
- l. Village Administrator's Report

Administrator Palm noted that item 5F was being pulled from the agenda for additional clean-up and would be on the next meeting's agenda.

Trustee Brennan made a motion, seconded by Trustee Vazquez, to approve the Consent Agenda items A-E and G-L.

Roll call:

Ayes: Trustees Bachner, Brennan, Cargie, Henek, O'Connell, Vazquez

Absent: None

Nays: None

Motion Passes.

6. CONSENT AGENDA ITEMS FOR SEPARATE CONSIDERATION

- a. Accounts Payable from the Economic Development Fund (\$153.96) and the Madison Street TIF Fund (\$547,146.32) (*Trustee Vazquez Common Law Conflict of Interest*)

Trustee Cargie made a motion, seconded by Trustee Henek, to approve payment for the Economic Development Fund for \$153.96 and payment for the Madison Street TIF Fund for \$547,146.32.

Roll call:

Ayes: Trustees Bachner, Brennan, Cargie, Henek, O'Connell

Absent: None

Abstain: Trustee Vazquez

Motion Passes.

7. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEES

- a. Zoning Board of Appeals – Variation Request for a Secondary Front Yard Setback at 1201 Park – Ordinance

Trustee Vazquez made a motion, seconded by Trustee Henek, to approve an Ordinance granting the requested variations to Sections 10-9-7 of the Zoning Ordinance at 1201 Park.

Administrator Palm noted this request was approved unanimously by the Zoning Board of Appeals.

Roll call:

Ayes: Trustees Bachner, Brennan, Cargie, Henek, O'Connell, Vazquez

Absent: None

Nays: None

Motion Passes.

- b. Sustainability Commission – Presentation on Climate Reality Leadership Conference

Sustainability Commission Chair Julie Moeller summarized the Climate Reality Leadership Conference. The Climate Reality Project, she stated, is a non-profit organization led by Al Gore and comprised of 20,000 leaders with representatives in each state and countries around the world. She explained its mission is to train and equip local advocates with solutions to drive positive change. Chair Moeller urged decisions be made with consideration of climate impact and thanked the Village for its commitment to the environment with successful initiatives such as the northside sewer project, LED lighting at the pump station, green alleys, and the adoption of the Bicycle Plan. She further urged the Board to focus on renewable energy, promoting solar energy and energy aggregation programs, and changing the compost program to opt-out. She stressed the importance of serving all populations and being mindful of maintaining accessible public transportation and public greenspace. Chair Moeller stated she was proud to represent River Forest at the conference.

James Durham, 1201 Park, expressed concern about light pollution. There was some discussion about the limitation of lighting regulations with planned developments and efforts to curb spillage.

In response to a question from Trustee Brennan, Public Works Director Anderson explained that when the street lights were changed to LED lighting, the cobra head lighting is more downward focused and some of the lights are brighter due to public safety concerns along major routes.

In response to Mr. Durham's suggestion to increase police presence instead of bright lighting, President Adduci noted that labor is costly.

The Board thanked Chair Moeller and the Commission for their work.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

a. Discussion and Direction: Recreational Cannabis

Assistant Village Administrator Lisa Scheiner [presented](#) information on recreational cannabis and summarized the State's legislation. She outlined the main policy decision before the Board, which is whether to permit recreational cannabis business establishments (CBEs) on commercially zoned properties or prohibit them within the Village. In highlighting the Village's local regulatory authority, Assistant Administrator Scheiner stated the Village cannot: prohibit adult-use cannabis on private property; prohibit possession in most locations; prohibit the growth of cannabis on private property by those who qualify for medicinal purposes. She explained that in terms of the Village's public safety concerns, unlawful use of cannabis will be enforced and that the Village will continue to partner with its business community to address safety concerns. She noted that there has not been a noticeable difference in enforcement as a result of the medical marijuana facilities in neighboring communities.

In explaining what prohibition would mean for the Village, Assistant Administrator Scheiner stated that the Village would have to adopt an ordinance by December 31, 2019 prohibiting CBEs and that the Village would receive the revenue from the Local Government Distributive Fund but nothing more. She explained that if the Village adopted an ordinance permitting CBEs, the Village could: determine what types of CBEs could be located here (cultivation center, craft grower, or dispensary); regulate the locations where they would be allowed (including distances from other types of uses); determine the process by which they would obtain approval; impose an excise tax of 3% and determine how to use the revenue. She noted that only 47 licenses would be granted within the region, which extends to Elgin and Naperville, so it would be unlikely that there would be a proliferation of CBEs in River Forest.

Assistant Administrator Scheiner stated that if the Board decides to move the discussion forward, the Board would hold a public meeting on September 9 at 6PM. At the 7PM regular meeting, the Board could direct the Zoning Board of Appeals to hold a public hearing to consider amendments to the zoning ordinance and adopt an ordinance imposing a cannabis sales tax of up to 3%.

In response to trustee questions, Assistant Administrator Scheiner clarified that the number of licenses refers to dispensaries and that the Village cannot require a local license in the same way as liquor licensing. Attorney Smith advised that if the Village permits CBEs, it link zoning approval to holding a State license in good standing.

The Board discussed the potential stigma for existing businesses to have a CBE located next door. Assistant Administrator Scheiner stated the law limits how the businesses can advertise. They also discussed the implications of marijuana being illegal at the federal level.

With regard to public safety, Chief O'Shea spoke to the uncertainty of traffic accident data and the difficulties of identifying what substance may be the cause of impairment. He noted that the technology has not caught up but is advancing. He affirmed that his department has not seen an increase in calls due to the medical marijuana facilities located in Elmwood Park and Oak Park.

The Board discussed distance requirements and the impact on where a CBE could realistically locate within River Forest.

In response to questions about the different types of facilities, Assistant Village Administrator Scheiner stated a dispensary would be the most likely type of CBE to locate within the Village given the space-needs of cultivation centers and craft growers. She noted that given the current locations of the home day care centers in town, no medical marijuana facility would be able to locate here unless one of them closed or the 1,500ft buffer changed.

In response to further questions from trustees, Attorney Smith stated the Department of Revenue is currently processing applications, then the CBEs will determine where they can locate. He explained that a dispensary is the only use that can have the 3% purchaser's tax added.

President Adduci summarized the next steps and stated she was in favor of allowing this use.

Trustee O'Connell stated he was in favor of permitting CBEs but that it was important for it to be a Special Use in order to maintain control.

Trustee Cargie remarked he is never one to forgo revenue and that he is interested to hear residents' input at the next meeting.

Trustee Vazquez stated he was in favor of exploring it further and urged that it is clearly communicated that the Village cannot control recreational cannabis use in total, just whether an establishment can locate here.

Trustee Bachner agreed to moving forward and stated she is happy to have more opportunities for revenue.

Trustee Henek concurred and emphasized the importance of CBEs as a Special Use in order to dictate parameters.

Trustee Brennan stated she was likeminded, noting that the key is in the control of it and hearing what the residents have to say. She mentioned she had found some research indicating that home values went up in municipalities that had recreational dispensaries.

b. Discussion: Acknowledgement of Land (*Trustee Bachner*)

Jan Saeger, 435 William. Ms. Saeger stated she wondered about the purpose of this acknowledgement and expressed concern about its political implications.

Trustee Bachner stated she has seen statements such as this gaining traction and being used more broadly for groups that gather in public places. She explained that it is a formal statement recognizing indigenous people as stewards of the land and that it is a way be mindful of their positions and the land's history. She compared it to saying the Pledge of Allegiance, further remarking that it inspires an ongoing relationship with the land.

Trustee Cargie expressed concern about political statements having a snowball effect. He reported that he had received emails from residents who were opposed to and offended by the statement. He maintained that it did not add to the functionality of the business of a board meeting.

Trustee O'Connell expressed concern about the statement becoming a slippery slope for others, noting that the Board would end up having to defend what would become political statements.

Trustee Brennan stated she was not personally offended by the statement but that she sees the slippery slope argument.

Trustee Henek stated she researched how statements like this are done in other places and found mixed results, but that she appreciated the need to move toward these types of conversations. She wondered if there were more effective ways of doing so and expressed uncertainty about having the statement read at every meeting. She stated she felt like the message could get lost.

Trustee Bachner stated she was thankful to have the discussion. She remarked that the Pledge of Allegiance is said at every meeting but felt there was a loss of recognition of other stewards. She further stated she felt the statement was one way to take a step forward to promote the history of native and indigenous people as stewards of this land. Trustee Bachner asked if there was different language or different ways to do this.

Trustee Vazquez explained that this was a difficult and challenging point for him, noting that he does believe in diversity and pushed for the welcoming resolution. He emphasized that he did not have an issue with the statement itself. He shared that he is of Mexican-American descent, and he asserted that they would feel excluded from the term indigenous in this statement. He affirmed that diversity can be discussed but that the Village be careful about not excluding anyone.

Trustee Bachner reiterated that she does not think this is a perfect statement and that she was open to feedback.

President Adduci echoed the concern about the statement being a slippery slope. She suggested acknowledging indigenous people with plaques around town, similar to what is done with historic homes. She assessed the trustees' feedback and concluded that while the meaning of the statement could be embraced, it would become political and difficult to incorporate into the business of the meeting.

Trustee Bachner stated she like the idea of the plaques. She affirmed that she believed this statement was appropriate in governing and business meetings but that she would want to see consensus from the Board. She stated this was a good discussion to have and would continue to look for ways to center the diverse backgrounds of the community.

President Adduci concluded that the consensus was to not read the statement as a Board but that trustees could read it during their comments if they wished to do so. The Board concurred that the plaques be explored.

10. EXECUTIVE SESSION

Trustee Cargie made a motion, seconded by Trustee O'Connell, to go into executive session to discuss the purchase or lease of real property for the use of the Village, including whether a particular parcel should be acquired; the setting of a price for sale or lease of property owned by the Village; and the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village.

Roll call:

Ayes: Trustees Bachner, Brennan, Cargie, Henek, O'Connell, Vazquez

Absent: None

Nays: None

Motion Passes.

The Village Board returned to regular session at 10:16 p.m. with the following members present:

President Adduci, Trustees Bachner, Brennan, Cargie, Henek, O'Connell, Village Clerk Brand-White.

11. ADJOURNMENT

Trustee O'Connell made a motion, seconded by Trustee Henek, to adjourn the regular Village Board of Trustees Meeting at 10:17 p.m.

Roll call:

Ayes: Trustees Bachner, Brennan, Cargie, Henek, O'Connell, Vazquez

Absent: Trustee Vazquez

Nays: None

Motion Passes.

Kathleen Brand-White, Village Clerk