

**MINUTES OF THE REGULAR BOARD MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
HELD ON THURSDAY, JANUARY 16, 2020**

CALL TO ORDER:

President Roth called the meeting to order at 7:03 pm.

ROLL CALL:

Trustee William Harper	Present	Trustee Mary Thon	Absent
Trustee Larry Schmidt	Present	Trustee William Carlson	Present
Trustee Michael Baumer	Present	Trustee James Cecille	Absent
President Billie D. Roth	Present		

All those answering “present” were physically present at the meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT’S REPORT:

P-20-001 Commission Resignation

President Roth requested acceptance of the resignation of Kristine Kenny from the Community Relations Commission effective immediately. Trustee Harper moved to accept the resignation. Trustee Carlson seconded the motion. A voice vote approved acceptance of the resignation.

VILLAGE MANAGER’S REPORT:

APPROVAL OF AGENDA:

Request the Board approve the January 16, 2020 Agenda as presented. Trustee Carlson moved for approval. Trustee Baumer seconded the motion. A voice vote approved the Agenda as presented.

APPROVAL OF THE MINUTES:

Request the Board approve the Minutes of the Regular Board Meeting of December 19, 2019 as presented. Trustee Schmidt moved for approval. Trustee Harper seconded the motion. A voice vote approved the Minutes as presented.

COMMUNITY DEVELOPMENT – Trustee Carlson/Trustee Harper

A-20-001 Ordinance – Special Use Permit / May’s Streamwood 2

Request the Board approve an Ordinance entitled “AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR THE SALE OF PACKAGED ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A C-3 HIGHWAY COMMERCIAL DISTRICT LOCATED AT 1010 S. BARRINGTON ROAD.” This Ordinance approves a Special Use for the sale of alcohol in a restaurant.

Trustee Carlson presented the Ordinance for first reading and posting.

Assistant Community Development Director Jeff Harris stated the petitioner is looking to open a second May’s video gaming café in the Village at this address, which was formerly a Pizza Now location. The café will have a customer seating area, two single-user restrooms, a small food preparation/sink area and six video gaming terminals. This petition was submitted prior to the new special use standards adopted as of January 1, 2020, but would be in compliance with the new regulations. The center has sufficient parking for the use. The Planning and Zoning Board heard the petition and recommended favorably; staff concurs. Amanda Bailey-Golden, representing May’s, was present for questions.

PUBLIC SAFETY - Trustee Harper/Trustee Carlson

A-20-002 Resolution – Approval of Labor Agreement Amendment / Metropolitan Alliance of Police, Streamwood Police Non-Sworn, Chapter 567

Request the Board approve a Resolution entitled "A RESOLUTION APPROVING A SIDE LETTER AGREEMENT TO A LABOR AGREEMENT WITH THE METROPOLITAN ALLIANCE OF POLICE, STREAMWOOD POLICE NON-SWORN, CHAPTER 567." This Resolution approves changes to drug testing requirements within a collective bargaining agreement to be consistent with recent changes in state law regarding controlled substances.

Trustee Harper presented the Resolution and moved for approval. Trustee Schmidt seconded the motion. Attorney Adam Durkin stated that due to recent state changes legalizing recreational cannabis use, modifications are needed to the collective bargaining agreement regarding drug testing. The parameters proposed match the state standards for DUI. This amendment was reviewed and approved by the bargaining unit membership. ROLL CALL:

Trustee Harper	Aye	Trustee Thon	Absent
Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Absent

Motion carried.

RESOLUTION 2020-1

A-20-003 Resolution – Approval of Labor Agreement Amendment / Metropolitan Alliance of Police, Streamwood Village Hall Civilians, Chapter 570

Request the Board approve a Resolution entitled “A RESOLUTION APPROVING A SIDE LETTER AGREEMENT TO A LABOR AGREEMENT WITH THE METROPOLITAN ALLIANCE OF POLICE, STREAMWOOD VILLAGE HALL CIVILIANS, CHAPTER 570.” This Resolution approves changes to drug testing requirements within a collective bargaining agreement to be consistent with recent changes in state law regarding controlled substances.

Trustee Harper presented the Resolution and moved for approval. Trustee Carlson seconded the motion. Attorney Adam Durkin stated that due to recent state changes legalizing recreational cannabis use, modifications are needed to the collective bargaining agreement regarding drug testing. The parameters proposed match the state standards for DUI. This amendment was reviewed and approved by the bargaining unit membership. ROLL CALL:

Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Absent
Trustee Harper	Aye	Trustee Thon	Absent

Motion carried.

RESOLUTION 2020-2

PUBLIC WORKS - Trustee Baumer/Trustee Schmidt

A-20-004 Resolution – Intergovernmental Agreement / Village of Bartlett / Emergency Water Interconnect

Request the Board approve a Resolution entitled “A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE OF STREAMWOOD AND THE VILLAGE CLERK TO ATTEST TO AN INTERGOVERNMENTAL AGREEMENT WITH THE VILLAGE OF BARTLETT FOR THE SETTING AND SHARING OF COSTS FOR THE USE OF THE EMERGENCY WATER INTERCONNECT.” This Resolution approves an agreement with the Village of Bartlett to establish costs and maintenance for emergency water interconnect between the two communities.

Trustee Baumer presented the Resolution and moved for approval. Trustee Carlson seconded the motion. Public Works Director Matt Mann stated Streamwood and Bartlett had entered into an agreement for emergency water sharing. Bartlett recently switched their water supplier to the DuPage Water Commission which is also Lake Michigan water. This agreement details how the two villages will share the costs for maintenance and use of the emergency interconnection, as well as costs for any water used during an emergency. JAWA has also reviewed and consented to the agreement. Trustee Harper asked about the 20% over unit price cost. Mr. Mann stated that would cover the personnel costs for use of the interconnect on an

emergency basis which is likely to be outside of regular business hours. Trustee Baumer asked how often the interconnection is tested; Mr. Mann stated it is tested annually. ROLL CALL:

Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Absent	Trustee Harper	Aye
Trustee Thon	Absent	Trustee Schmidt	Aye

Motion carried.

RESOLUTION 2020-3

COMMUNITY AFFAIRS - Trustee Thon/Trustee Cecille

A-20-005 Ordinance – Code Amendment / Municipal Cannabis Retailer’s Occupation Tax

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING CHAPTER 3 ENTITLED “MUNICIPAL OCCUPATION TAXES” OF TITLE 3 ENTITLED “BUSINESS AND LICENSE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD, COOK COUNTY, ILLINIOS BY ADDING THERETO SECTION 3-3-8 ENTITLED “MUNICIPAL CANNABIS RETAILER’S OCCUPATION TAX.” This Ordinance authorizes the imposition and collection of taxes associated with the sale of recreational cannabis and related products consistent with recent changes to state law.

Trustee Baumer presented the Ordinance for first reading and posting.

Finance Director Josh Peacock stated the Village is imposing a 3% tax on the sale of recreational cannabis. This tax will be collected by the IL Department of Revenue. As the Village does not have any dispensary operating to date, this establishes the tax for future businesses.

A-20-006 Ordinance – Personnel Policy

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING TITLE 1, CHAPTER 11 OF THE VILLAGE CODE OF STREAMWOOD AMENDING THE PERSONNEL POLICY MANUAL.” This Ordinance makes changes to the Village’s Personnel Policy to ensure consistency with recent state statute changes regarding testing for controlled substances and unpaid leave.

Trustee Baumer presented the Ordinance for first reading and posting.

Attorney Adam Durkin stated that due to recent state changes legalizing recreational cannabis use, modifications are needed to the non-union employee personnel policy manual regarding drug testing. The parameters proposed match the state standards for DUI. Also, the state has broadened protection under the Victim’s Economic Security and Safety Act (VESSA) to include “victims of gender” in addition to domestic or sexual violence. Changes will be made to Section II, Article 11.2 to add this language.

LEGISLATIVE – Trustee Cecille/Trustee Thon

A-20-007 Ordinance – Code Amendment / Purchase, Sale and Possession of Tobacco and Tobacco Products

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING TITLE 3, CHAPTER 7, ARTICLE 2, SECTION 3-7-2-3 AND SECTION 3-7-2-4 AND TITLE 4, CHAPTER 5, SECTION 4-5-3(A)(2) AND SECTION 4-5-8 RELATED TO THE PURCHASE, SALE AND POSSESSION OF TOBACCO AND TOBACCO PRODUCTS OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD, COOK COUNTY, ILLINOIS.” This Ordinance makes changes to the Village Code to ensure consistency with recent changes to state and federal law regarding the sale, purchase, and possession of tobacco products.

Trustee Schmidt presented the Ordinance for first reading and posting.

Attorney Adam Durkin stated the state recently amended the law regarding the sale and possession of tobacco and tobacco related products. The new law makes it illegal to sell or distribute to persons under age 21, and those under 21 may not purchase tobacco or related products. It is not a violation for persons age 18-21 to possess tobacco or related products. The new law also mandates specific signage regarding the sale of such products. Federal law now prohibits the sale of tobacco products, including vapes and e-cigarettes to persons under age 21. This Ordinance will amend select provisions of the Village Code to be consistent with the federal and state law changes.

A-20-008 Ordinance – Code Amendment / Cannabis

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 4-3-28 ENTITLED “DRUGS AND DRUG PARAPHERNALIA” OF CHAPTER 3 ENTITLED “MISDEMEANORS” OF TITLE 4 ENTITLED “POLICE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance makes changes to the Village Code to ensure consistency with recent state statute changes regarding the use and possession of cannabis and cannabis-related products.

Trustee Schmidt presented the Ordinance for first reading and posting.

Attorney Adam Durkin stated the Village Code needs to be amended for consistency with the new legislation allowing recreational cannabis. This Ordinance amends certain definitions, amounts allowed for possession, and restrictions on possession and use as well as cultivation of cannabis plants. Trustee Harper asked about possession in the public rights of way. Attorney Durkin stated someone could have cannabis in their possession, in a properly sealed container, but is not allowed to consume the product in public in any form.

FINANCE - Trustee Schmidt/Trustee Baumer

A-20-009 Motion – Approval of Semi-Monthly Expenditures

Request the Board approve the semi-monthly expenditures in the amount of \$293,165.91 which represents the total of the schedule of bills dated January 2, 2020.

General Fund	\$ 142,392.21
Wetland Special Service Areas	1,294.16
Capital Replacement Fund	22,179.91
Street Improvement Fund	49,818.29
Equipment Replacement Fund	13,458.20
Facilities Replacement Fund	600.00
Water and Sewer Fund	51,605.06
Golf Fund	8,340.08
Firefighters Pension Fund	<u>3,478.00</u>
Total	<u>\$ 293,165.91</u>

Trustee Schmidt moved for approval of the semi-monthly expenditures as presented.
Trustee Harper seconded the motion. ROLL CALL:

Trustee Baumer	Aye	Trustee Cecille	Absent
Trustee Harper	Aye	Trustee Thon	Absent
Trustee Schmidt	Aye	Trustee Carlson	Aye

Motion carried.

A-20-010 Motion – Approval of Semi-Monthly Expenditures

Request the Board approve the semi-monthly expenditures in the amount of \$1,074,169.50 which represents the total of the schedule of bills dated January 16, 2020.

General Fund	\$ 486,141.32
Wetland Special Service Areas	57.68
Capital Replacement Fund	12,312.93
Street Improvement Fund	927.30
Equipment Replacement Fund	1,533.46
Facilities Replacement Fund	3,695.00
Water and Sewer Fund	541,559.27
Golf Fund	27,267.54
Firefighters Pension Fund	<u>675.00</u>
Total	<u>\$ 1,074,169.50</u>

Trustee Schmidt moved for approval of the semi-monthly expenditures as presented. Trustee Carlson seconded the motion. ROLL CALL:

Trustee Harper	Aye	Trustee Thon	Absent
Trustee Schmidt	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Absent

Motion carried.

PUBLIC COMMENTS:

ADJOURNMENT:

Trustee Baumer moved to adjourn. Trustee Carlson seconded the motion. A voice vote approved the adjournment. The Village Board adjourned their meeting at 7:27 p.m.

Billie D. Roth
Village President

Kittie L. Kopitke
Village Clerk

Approved this 6th day of February 2020