REGULAR CITY COUNCIL MEETING
Minutes
City Council Chambers, 333 S Green Street
Tuesday, September 3rd, 2019

Call to Order:
The City Council of the City of McHenry, Illinois, met in regular session on Tuesday,
September 3rd, 2019, at 7:00 p.m. in the McHenry City Council Chambers, 333 S. Green
Street, McHenry, IL.

Roll Call:
Mayor Jett called the roll call.
Members present: Alderman Santi, Alderman Glab, Alderman Schaefer, Alderman Mihevc,
Alderman Devine, Alderwoman Miller, Alderwoman Bahne and Mayor Jett. Others present:
Attorney McArule, Administrator Morefield, Interim Director of Public Works Strange, Director
of Community Development Polerecky, Finance Director Lynch, Director of Parks and
Recreation Hobson, Director of Economic Development Martin, and Chief of Police Birk, and
City Clerk Ramel.

Pledge of Allegiance:
Mayor Jett led those present in the Pledge of Allegiance

Public Hearing: Call to order a Public Hearing for consideration of an Annexation Agreement,
Annexation, Zoning Map Amendment and Conditional Use Permit to allow Agritourism and a
Landscape Business with Outdoor Storage for the property located at 4727 W. Crystal Lake
Road.

Attorney Steve Cuda, Woodstock IL, behalf of Harms Farm. Petitioned the City of McHenry to
annex officially into the city, Harms Farm is part of agriculture, snow removal business, and
seasonal activities that happen on the property, which has been in business for 55 years. There
are no new uses being proposed to the business, they attorney and owners feel it makes sense
to annex into the City of McHenry. Discussion included the point that it is cost effective to do
business to work with the City of McHenry, and would like to bring Harms Farm under the
jurisdiction of the city. According to their attorney the zoning board unanimously agreed that
the requested zoning be approve therefore why they were present at the Council Meeting
tonight. The format is something that we should all be comfortable with per the attorney. There
is one elector not three one error that was made. 25, 26, 27, 28 annexation. There is nothing
new being requested which was again discussed Harms Farm has a garden center, landscape
business, snow removal, agriculture, and lawn care, along with retail sales such seasonal
items. The details regarding the annexation request were outlined along with an exhibit board
that was placed in front of the Council showing the layout of the property of the business. The
owners and staff/family were present at the meeting as we were no public comments, but
support from the Harms Family. Alderman Glab showed his support in the tradition of the Harms
Farm. The only clarification that was requested was in regards to storage on the property by
several of the Alderman. Discussion regarding signage per Council and the specifications regarding signs, there are four signs that just change regarding seasonal patronage but not the size of the signs. The Council congratulated the Harms Farm business, welcoming them to the City of McHenry.

A motion was made by Alderman Santi and seconded by Alderwoman Miller to close the public hearing. Roll Call: Vote: 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 0-nays, 0-abstained. Motion carried.

A motion was made by Alderwoman Miller and seconded by Alderwoman Baehne to approve an Ordinance authorizing the execution of an Annexation Agreement with Trust Number 12742, Dennis L. Harms and Theresa M. Harms, with reference to Lot 25 having Shirley Harms as the trustee and sole beneficiary, with specifications of the existing two signs and four banners, and with allowing the petting zoo and animals as is currently practiced. Roll Call: Vote: 8-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller, Mayor Jett. 0-nays, 0-abstained. Motion carried.

A motion was made by Alderman Santi and seconded by Alderman Glab to approve an Ordinance authorizing the Annexation of property at 4727 W. Crystal Lake Road. Roll Call: Vote: 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller, Mayor Jett. 0-nays, 0-abstained. Motion carried.

A motion was made by Alderman Santi and seconded by Alderman Schaefer, to approve an Ordinance Authorizing a Zoning Map Amendment to A-1 Agriculture and a Conditional Use Permit to allow Agritourism and a Landscape Business with Outdoor Storage for the property located at 4727 W. Crystal Lake Road, with the inclusion of the snow removal and lawn maintenance business. Roll Call: Vote: 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 0-nays, 0-abstained. Motion carried.

Public Comments:
Corey Groupy/Jeff Olson: looking to open three dispensaries in the area, have a security team that they provide. They gave their opinions regarding the dispensaries and wanted to know if they could answer questions that the Council has. Some discussion continued regarding dispensary.

Paula Ray discussed her views regarding medical use of Cannabis, location and also some of the risks and locations as well. Developing a task force about educating the community regarding this. Talked about licenses etc.
Jay another guest speaker talked about his past applying for the licenses, talked about community support that is needed regarding success rate. Talked about security and its importance as well.
Consent Agenda:
A Motion was made to approve the Following Consent Agenda Item A:

A. Ordinance Amending Chapter 12, Licenses and Permits Generally, Raffles;

A motion was made by Alderman Santi and seconded by Alderwoman Miller to approve Consent Agenda Item as present. Roll Call: Vote 5 Ayes: Alderman Santi, Alderman Schaefer, Alderwoman Baehne, Alderman Mihevc, Alderman Devin, Alderwoman Miller: 1 Nay, Alderman Glab, 0-Abstained, Motion Carried.

A Motion was made to approve the following Consent Agenda Items B-H

B. Request to Advertise for Bids for the cleaning of the McHenry Recreation Center;
C. Resolution to Pursue a McHenry County Consolidated Law Enforcement Training Facility;
D. Proposal from Gary W. Andersen Architects in the amount of $28,700 for architectural services for the horse barn at the Petersen Farm;
E. Request from McHenry High School District 156, East Campus, to temporarily close sections of John, Green, Main, Center and Kane and use of city services for traffic control for Homecoming Parade on Monday, October 7th at 6:00pm;
F. Parks & Recreation Facilities & Special Use Permit Requests;
G. August 19, 2019, City Council Meeting Minutes;
H. Issuance of Checks in the amount of $212,005.18.

A motion was made by Alderman Glab and seconded by Alderwoman Miller to approve Consent Agenda Items as presented. Roll Call: Vote 7-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devin, Alderwoman Miller. 0-nayes, 0-abstained. Motion carried.

Individual Action Item Agenda:
None

Discussion Items:
Recreational Cannabis

Chief Birk started the discussion regarding recreational Cannabis, he explained that several internal discussions have been occurring, and if dispensaries are going to be allowed in McHenry, and how to regulate them. Handout regarding the pros and cons and the zoning and business licensing would occur.

Alderman Schaefer, had some questions regarding the leeway of the Cannabis sales. Alderman Schaefer, suggested that the concerns seems to be locations and on premise use. Discussion regarding zoning location, security and timing were of main conversation.
There was conversation among the Council. Support for one or two dispensaries in town looked likely. Council Attorney David McArdle explained the details of how many dispensaries are allowed and the time frame with that, also explained the description of how Cannabis is used and the four statues of the uses and how they are state regulated. The discussion continued regarding this topic, signage, location and zoning, and security were the main focus of the topics between the Council. Chief Birk explained some of the restrictions and regulations within the community, including parking restrictions, ideas of where the dispensaries can be located, etc. Several comments and conversations were presented during the meeting. Direction has started with Council and some ideas and parameters were outlined during discussion. Much support on this discussion is outlined in Public Comments.

Executive Session:
Mayor Jett explained that the Council will not meet in executive session tonight.

Staff Reports, Mayor’s Report and Council Comments:
Director of Parks and Recreations Hobson talked about events and the time line that Council would need to help with future city events. He explained there are times where they are scrambling for event approval and was asking Council what a comfortable time-line would be for them to approve events.
Chief Birk also questioned what other buffers would be needed to help him with special events. Many on the Council suggested and agreed that 90 days would be a great time frame. Mayor Jett agreed that a minimum of three months would suffice. Chief Birk suggested 6 months if possible to help him block off police force scheduling as well.
Director of Public Works Strange updated the Council on road work occurrences.

Adjournment:
A motion was made by Alderman Santi and seconded by Alderwoman Baehne, to adjourn the meeting at 9:00 PM. Roll call: Vote:7-ayes: Alderman Sandi, Alderman Schaefer, Alderman Glab, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 0-nays, 0-absained. Motion carried.

Wayne Jett
City Mayor
Trisha Ramel
City Clerk