Call to Order:
The City Council of the City of McHenry, Illinois, met in regular session on Monday, October 7, 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.

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

Public Comments: None

Consent Agenda: Motion to approve the following Consent Agenda Items:
A. Intergovernmental Agreement between the McHenry County Conservation District and the City of McHenry for bike path connections located in the Patriot Estates/Prairie Lake Subdivision;
B. September 16, 2019, City Council Meeting Minutes;
C. September 30, 2019, City Council Special Meeting Minutes;
D. Parks & Recreation Facilities & Special Use Permit Requests;
E. Issuance of Checks in the amount of $379,265.98.

A motion was made by Alderman Santi and seconded by Alderman Mihevc to approve Consent Agenda items as presented. 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.

Individual Action Item Agenda:
A. Motion to approve or deny a Class B Liquor License to Don’s Subs at 323 Front Street, McHenry; and, if approved, the adoption of an ordinance increasing the number of Class B Liquor Licenses from 17 to 18.
Administrator Moorfield explained the specifics of the licenses, he also explained the differences of the Individual Action Items as well, it was brought to Council’s attention that the Individual Action Items can be separate considerations for the Council to vote on if needed. Discussion from Council began and Mr. Kerns, the owner of Don’s Subs was asked questions from Alderman Santi. It was made know by that Mr. Kerns would still continue to open his
business even if he did not get liquor license or gaming licenses. Other discussion continued as Alderwoman Baehne asked how the seating would be and what kind of tables they would provide. Alderman Glab asked the owner if he had much experience in the restaurant field, applicant did have a bar in FL. Alderman Schaefer asked to confirm some incomplete answers on the applications such as what type of establishment should have been checked on the application, it was confirmed by the applicant that restaurant should have been selected. Also, on page 3 confirming that will they not sell to underage or intoxicated persons at the establishment, which was missed on the application as well, this too was confirmed by the applicant as an important guideline that they would most certainly follow.

A motion was made by Alderman Schaefer and seconded by Alderwoman Miller to approve individual agenda items as presented. Roll Call: Vote: 6-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 1-nays, 0-abstained. Motion carried.

B. Motion to approve or deny a Video Gaming License to Don’s Subs at 323 Front Street, McHenry, contingent on the action taken on Agenda Item A.

Council talked about their opinion of gaming and also that the applicant could come back after one year of the business being open to get approval later on for the gaming. The Council expressed that there were concerns that the business could become less of a restaurant and more for the gaming. Council would like to be more specific regarding gaming establishments in the city of McHenry at this time, there are many gaming facilities present in the town.

A motion was made by Alderman Santi and seconded by Alderwoman Miller to approve Individual Agenda items as presented. Roll Call: Vote: 2-ayes: Alderman Santi, Alderman Schaefer, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 5-nays, 0-abstained. Motion denied.

C. Motion to approve the following pertaining to the Public Use of Cannabis:


b. An Ordinance amending Chapter 14: Drug Paraphernalia; Possession of Cannabis; and,

c. An Ordinance approving text amendments to the Zoning Ordinance to Article III: General District Regulations, Article V: Commercial Districts, Article VI: Office, Industrial, Business Park, Agricultural and Mining Overlay and Health Care Districts, Article VII: Off-Street Parking and Loading, and Article XIX: Definitions Pertaining to Adult Use Cannabis.
Director of Parks and Recreation Hobson, briefed the Council on the regulations of recreational Cannabis such as the zoning and restrictions. There was questions asked by several aldermen/alderwomen to help Council understand the clarification of the restrictions. Council also asked for clarification on crafting of cannabis. The 13 schools in the area restricts the area where the dispensaries could be located according to the 1,000 foot distance that Council wanted the dispensaries locate. Chief Birk went over the amount of dispensaries in Illinois as well to answer some more questions about the totals allowed within the state of Illinois. The Council did not want to see more than two dispensaries. Discussion on this topic continued for a while.

**A motion was made by Alderman Santi and seconded by Alderwoman Baehne to approve individual agenda items as presented.** Roll Call: Vote: 6-ayes: Alderman Santi, Alderman Schaefer, Alderman Glab, Alderwoman Baehne, Alderman Mihevc, Alderman Devine, Alderwoman Miller. 1-nays, 0-abstained. Motion carried.

D. Motion to approve the following pertaining to the Issuance of Certain Additional Tobacco Licenses (Vaping):

a. An Ordinance terminating a Temporary Moratorium on the Issuance of Certain Additional Tobacco Licenses:


c. An Ordinance approving text amendments to Article III: General District Regulations, Article V: Commercial Districts, and Article XIX: Definitions of the McHenry Zoning Ordinance regarding Vaping Establishments; and,

Director of Parks and Recreation Hobson explained the ordinances listed above, there were no further questions asked by the Council at that time.

**A motion was made by Alderman Schaefer and seconded by Alderwoman Miller to approve Individual Agenda items as presented.** 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.

**Discussion Items:** None

Mayor Jett asked if anyone in the audience had any further requests to speak before the Council before it adjourned to closed session. There were no further comments or discussions.
Executive Session:
A motion was made by Alderman Santi and second by Alderwoman Miller to adjourn to executive session at 8:01 p.m. for the setting of a price for sale or lease of property owned by the public body (5 ILCS 120/2(c)(5)).

A motion was made by Alderman Santi and second by Alderwoman Schaefer to return to open session at 8:35 p.m.: 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

Staff Reports: None

Mayor's Report: None

City Council Comments: None

Adjourn:
A motion was made Alderman Santi and seconded by Alderwoman Baehne to adjourn the meeting at 8:45 p.m. 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

X Mayor Wayne Witt

X City Clerk Trisha Ramel