

**City Board Meeting Agenda
City of St. Elmo
October 2, 2019 - 6:00 p.m.
At the City Hall**

Order of Business

Call to Order

Roll Call

Pledge of Allegiance

Approval of Board Minutes

Approval of Treasurer's Report

Visitors:

Reports and Communications from the Mayor and Other City Officers:

- Public Hearing 10/10/19 @ 6:00 pm @ Vandalia

Reports of Standing Committees:

Chairman Report of Finance, Rick Mills

- MFT Audit
- IMTA Seminar
- IEPA Loan Payment

Chairman Report of Public Works, Sandra Mace

- Pay requests water line project B & T
- Pay requests sewer line project B & T
- Water plant upgrade
- Polling Board on Tree Removal
- Fire Hydrants

Chairman Report of Parks, Local Improvements & Zoning, Kenneth Gammon

- Deken Park Bids

Chairman Report of Public Safety, Rick Mills

- Vest purchase
- Digi Ticket
- Purchase Ammo
- Property at 508 N, Main St.
- Personnel – Part time officer

Communications, Petitions, Resolutions, Orders and Ordinances:

- Ordinance Approving Sale of Municipally Owned Personal Property
- An Ordinance Approving and Authorizing the Execution of a Redevelopment Agreement by and between the City of St. Elmo and Donald Spring, d/b/a St. Elmo Diesel Repair, LLC

Unfinished Business:

New Business:

Executive Session:

Adjourn or Recess:

City Board Meeting Minutes
City of St. Elmo
October 2, 2019 - 6:00 p.m.
At the City Hall

The City Council met in regular session Wednesday, October 2, 2019 at 6:00 p.m. at the City Hall with the following City Officials present: Mayor Ernie Myers, Alderman Sandra Mace, Kenneth Gammon, Rick Mills, Jordan Mahon, Robert Wells and James Russell. Also present was City Clerk Rebecca Werner, Treasurer Mary Magnus, and Chief Brock Rich.

Sales Tax received in September was \$11,343.02

State Income Tax received in September was \$8484.83

State Use Tax received in September was \$3783.54

Motor Fuel Tax received in September was \$4742.02

Pledge of Allegiance

Approval of Board Minutes

Motion #1) Moved by Sandra Mace and seconded by Jordan Mahon to approve the September 4, 2019 Board Meeting minutes.

Ayes: Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell

Approval of Treasurer's Report

Motion #2) Moved by Rick Mills and seconded by JD Russell to approve the September 2019 Treasurer's Report as presented totaling \$369,601.91. \$39,119.56 in General Fund; \$1,975.00 in Audit Fund; \$1,303.26 in Social Security Fund; \$17,554.52 in Sewer Fund; \$4,983.25 in Garbage Disposal Fund; \$615.13 in Equipment Fund \$69,597.03 in Water Distribution Fund; \$1,167.00 in Motor Fuel Fund; \$3,720.00 in Road and Bridge Fund; \$0.00 in Insurance Fund; \$0.00 in Hotel/Motel Fund; \$3,525.44 in Special Tax Allocation Fund TIF I; \$9,553.82 in Special Tax Allocation Fund TIF II; \$60.40 in Special Tax Allocation Fund TIF III; \$0.00 in Public Benefits Fund; \$216,427.50 CDBG Grant Fund. Ayes: Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells

Visitors: Shelby Niehaus, St. Elmo Banner, Londa Mitchell, Mitchell Package Liquor Londa wants to know about a pour or tasting license and Sunday sales. Mitchell's is for sale do you have to live in the community to have a liquor license? Londa is also looking for a gaming to be available.

Reports and Communications from the Mayor and Other City Officers:

- Public Hearing 10/10/19 @ 6:00 pm @ Vandalia

Reports of Standing Committees:

Chairman Report of Finance, Rick Mills

- MFT Audit

Motion #3) Moved by Rick Mills and seconded by Kenneth Gammon to accept the MFT Audit for the period beginning January 1, 2017 through December 31, 2018.

Ayes: Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon

- IMTA Seminar

Motion #4) Moved by Rick Mills and seconded by JD Russell to allow Treasurer Magnus to attend the IMTA Conference on November 19 -21, 2019 at Bloomington, Illinois with the city paying all fees (\$235), plus hotel, mileage and meals.

Ayes: Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace

- IEPA Loan Payment

Motion #5) Moved by Rick Mills and seconded by Bob Wells to approve the repayment of the IEPA loan in the amount of \$13,361.96.

Ayes: Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon,

Chairman Report of Public Works, Sandra Mace

- Pay requests water line project B & T

Motion #6) Moved by Sandra Mace and seconded by Kenneth Gammon to accept pay request #3 in the amount of \$108,081.80 from B & T Drainage for the water line project.

Ayes: JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills

- Pay requests sewer line project B & T

Motion #7) Moved by Sandra Mace and seconded by Jordan Mahon to accept pay request #2 in the amount of \$56,729.15 from B & T Drainage for the sewer line project.

Ayes: Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell

- Water plant upgrade

Motion #8) Moved by Sandra Mace and seconded by Jordan Mahon to approve the water plant upgrade by Engineered Solutions Midwest in the amount of \$23,227.82.

Ayes: Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells

- Polling Board on Tree Removal

Motion #9) Moved by Sandra Mace and seconded by Kenneth Gammon to confirm poll vote taken on September 18, 2019 for the tree removal in the alley where the sewer work was done to IRH Tree Service in the amount of \$1200.00.

Ayes: Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon

- Fire Hydrants

Motion #10) Moved by Sandra Mace and seconded by JD Russell to purchase 2 fire hydrants from L & J Municipal Supply in the amount of \$3675.42.

Ayes: Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace

Chairman Report of Parks, Local Improvements & Zoning, Kenneth Gammon

- Deken Park Bids

Motion #11) Moved by Kenneth Gammon and seconded by Jordan Mahon to approve the bid from Courts and Cracks in the amount of \$8,840.00 for crack filling of the walking trail, parking lot, and basketball court at Deken Park.

Ayes: Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon

Reported that the Deken Park sign is scheduled to be installed on Oct. 3rd. Lions Club will be working on the pavilion on Oct. 12th.

Chairman Report of Public Safety, Rick Mills

- Vest purchase -- Officer Nevergall and Officer Gardner

Motion #12) Moved by Rick Mills and seconded by JD Russell to purchase 2 vest carriers from Ray O'Herron in the amount of \$540.97 plus shipping.

Ayes: JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills,

- Digi Ticket

Motion #13) Moved by Rick Mills and seconded by Bob Wells to approve the digi TICKET software Maintenance & Support Agreement Annual Fee of \$506.13.

Ayes: Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell

- Purchase Ammo

Motion #14) Moved by Rick Mills and seconded by Kenneth Gammon to approve purchasing ammo from Ray O'Herron in the amount of \$470.00 plus shipping.

Ayes: Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells

- Property at 508 N, Main St.

Motion #15) Moved by Kenneth Gammon and seconded by Rick Mills to repair the city owned property at 508 N. Main St.

Ayes: Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon

- Personnel – Part time officer

Chief Rich reported that the new police vehicle did not really cost the tax papers any money with the grant, selling the old car and using DUI and Police Vehicle fine money to pay for it.

Communications, Petitions, Resolutions, Orders and Ordinances:

- Ordinance Approving Sale of Municipally Owned Personal Property

Motion #16) Moved by Rick Mills and seconded by Jordan Mahon to approve

“ORDINANCE NO. 1032 “Ordinance Approving Sale of Municipally Owned Personal Property”

Ayes: Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace

- An Ordinance Approving and Authorizing the Execution of a Redevelopment Agreement by and between the City of St. Elmo and Donald Spring, d/b/a St. Elmo Diesel Repair, LLC

Motion #17) Moved by Rick Mills and seconded by JD Russell to approve

“ORDINANCE NO. 1033 “An Ordinance Approving and Authorizing the Execution of a Redevelopment Agreement by and between the City of St. Elmo and Donald Spring, d/b/a St. Elmo Diesel Repair, LLC “

Ayes: Rick Mills, JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon

Unfinished Business:

New Business:

Executive Session: Personnel in accordance with the Open Meetings Act, Section 2 c (1)

Motion #18) Moved by Rick Mills and seconded by Kenneth Gammon to move into Executive Session for the purpose of Personnel in accordance with the Open Meetings Act, Section 2 c (1) at 7:06 p.m. with Mary Magnus & Chief of Police Brock Rich present.

Ayes: JD Russell, Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills

Motion #19) Moved by Sandra Mace and seconded by Jordan Mahon to adjourn from Executive Session at 7:18 p.m.

Ayes: Bob Wells, Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell

Motion #20) Moved by Rick Mills and seconded by Jordan Mahon to approve the hiring of Jon Torbeck as part time police officers and to set his pay at \$16.50 per hour.

Ayes: Jordan Mahon, Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells

Sandy has been looking for a Christmas tree for the city. She found one in Effingham that is on sale. Board told her to go ahead and get it.

Adjourn or Recess:

Motion 21) Moved by Sandra Mace and seconded by Kenneth Gammon to adjourn the meeting at 7:33 p.m.

Ayes: Sandra Mace, Kenneth Gammon, Rick Mills, JD Russell, Bob Wells, Jordan Mahon

Rebecca Werner, City Clerk

STATE OF ILLINOIS, COUNTY OF FAYETTE, MUNICIPALITIES OF VANDALIA, RAMSEY, ST ELMO,
BROWNSTOWN NOTICE OF PUBLIC HEARING

TAKE NOTICE that on the 10th Day of October, 2019, at the hour of 6:00 p.m., or as soon thereafter as the matter may be heard, the Fayette County Board and Councils of Vandalia, Ramsey, St Elmo and Brownstown will conduct a joint public hearing at the Banquet Hall at the Moose Lodge, 328 S 3rd St, Vandalia, IL 62471 Illinois, to receive public comment on the topic of allowing recreational sales of cannabis or cannabis infused products within the several incorporated areas and unincorporated areas of Fayette County, Illinois.

As of January 1, 2020, Illinois residents over age 21 will be allowed to possess up to 30 grams of raw cannabis, 5 grams of cannabis concentrate or infused products containing 500 mg of THC. While local governments are prevented from imposing regulations that conflict or are more stringent than state law; certain restrictions may be applied locally which may limit or prohibit recreational sales, defining zoning or permitting requirements and enacting local ordinances to assess penalties for violations.

Agenda:

1. Call to Order
2. Joint Pledge of Allegiance
3. An Overview of the Illinois Cannabis Act as it applies to local government
4. Public Comment
5. Adjourn

Public comment will be by sign-up at the Public Hearing in the order they are received. Comments will be limited to three (3) minutes with a single request for extension of two (2) minutes. Those wishing to provide handouts to the several public bodies are responsible for providing adequate copies at their own expense.

Jointly, by order of the Fayette County Board, Vandalia City Council, Ramsey City Council, St Elmo City Council and Brownstown City Council.

DATED: October 1, 2019

City of St. Elmo
City Board Meeting Minutes
Public Hearing
October 10, 2019 - 6:00 p.m.
At the Moose Lodge in Vandalia, IL

The City Council met for a Public Hearing on Thursday, October 10, 2019 at 6:00 p.m. at the Moose Lodge in Vandalia, IL with the following City Officials present: Mayor Ernie Myers, Alderman Sandra Mace, Kenneth Gammon, Rick Mills, Robert Wells and James Russell. Also present was Treasurer & Deputy Clerk Mary Magnus, and Chief Brock Rich. City Clerk Rebecca Werner and Alderman Jordan Mahon were absent.

Pledge of Allegiance

An Overview of the Illinois Cannabis Act as it applies to local government presented by Bellwether LLC.

Slide presentation as attached.

Public Comment

Motion was made to adjourn the meeting at 6:38 p.m. All in favor.

Mary Magnus, Deputy City Clerk



**Fayette County and
Municipalities**

Public Hearing on Cannabis

October 10, 2019

Disclaimer

- This is a Public Hearing to allow citizens of Fayette County and several municipalities to express their views on the Cannabis Regulation and Tax Act
- The views expressed are non-binding.
- The facilitator (Bellwether LLC) is a contract administrator for Fayette County. Their comments are intended to facilitate discussion and do not necessarily represent the views of Bellwether LLC, Fayette County or any Municipality present.

It's the Law

- On May 31, 2019 Illinois legalized the sale, possession and use of marijuana for recreational purposes for adults 21 and over through the

Cannabis Regulation and Tax Act

- While the act does provide Counties and Cities with some authorities;

**Local Government May Not Prohibit the possession
or use of marijuana for recreational purposes**

The act does not change the law about medicinal marijuana

- There are currently 55 **Medical Cannabis Dispensaries** in Illinois. These sites have “early approval” for adding a recreational marijuana dispensary.
- Fayette County does not have a **Medical Cannabis Dispensary**, therefore “early approval” expansion is not an issue.
- Current law allows up to 200 dispensaries in 2020 and up to 500 by 2022. There are existing amendments to increase this number sooner.

There are still some limitations on possession

For Residents

- 30 grams of cannabis flower
- 5 grams of concentrate
- 500 milligrams of THC in infused products

For Non-Residents

- 15 grams of cannabis flower
- 2.5 grams of concentrate
- 250 milligrams of THC in infused products.

There are still some prohibited behaviors

- No consumption in a “public place”
- No consumption on school grounds
- No consumption in close proximity to persons under 21

What is a public place?

Any place a person could reasonably expect to be observed by the general public.



There are still some prohibited behaviors (continued)

- **No smoking cannabis in any location where smoking is prohibited by the Smoke Free Illinois Act**
- **No sale to minors under age 21**
- **No home delivery to consumers by a dispensary**
- **No possession or use by a minor other than for medical cannabis**
- **Possession in a motor vehicle, unless in a “sealed odor-proof, child resistant, tamper evident cannabis container” and “reasonably inaccessible”**
- **No driving under the influence**

Illinois Counties and Municipalities face a series of connected questions

First,

**Shall local government allow sale of
Recreational Marijuana within the
boundaries of their statutory control?**

Each local government can make their own decision.

AND,

If sale of Recreational Marijuana is permitted, a series of other questions arise:

- Shall local government define specific zoning criteria beyond stated in the Cannabis Regulation and Tax Act?
- Shall local government impose an excise tax on the sale of recreational marijuana?
- Shall local government limit the number of locations authorized within their area of statutory control?
- Shall local government define special regulations and inspections?

Will taxing cannabis add new revenue?

- **Local government can add approximately 3% excise tax in addition to the regular sales tax.**
- **There are no good models to know what sales might be in Fayette County.**
- **A store making one-million in sales would create \$30,000 in tax revenue**



If sale of Recreational Marijuana is permitted,

Shall local government allow consumption on the premises?

Like the different liquor licenses, some allow for sale only; while others allow for sale for onsite consumption only.



There are other facts about the Act;

Certain past convictions for cannabis related crimes will be expunged from criminal records.

Some portion (8%) of the state collected tax revenue will return to local government in various programs including

- Crime prevention
- Interdiction efforts
- Detection and Enforcement

Let's Recap the Questions

**Should your County or Municipality
allow sale of Recreational Marijuana
within the boundaries of their
statutory control?**



Public Comment