

Council Agenda	2
Council Minutes	4
Police Report	8
Street Report	9
Water Report	10
Finance Committee Agenda & Minutes	11
Community Development Committee Agenda & Minutes	14
Public Safety Committee Agenda & Minutes	23
Ordinance 2nd Reading - Prohibiting Cannabis Facilities	25
Ordinance 2nd Reading - Starwood Land Exchange Swap	29

LOVES PARK CITY COUNCIL AGENDA–DECEMBER 2, 2019- 6 P.M.
AT CITY HALL COUNCIL CHAMBERS, 100 HEART BLVD.,
LOVES PARK, 61111

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

- 1. Invocation given by Police Chief Chuck Lynde, followed by the Pledge of Allegiance.**

III. ROLL CALL

IV. APPROVAL OF CITY COUNCIL MINUTES OF PREVIOUS MEETING

V. COMMUNICATIONS, MAYOR'S REPORT AND ANNOUNCEMENTS

- 1. Presentation of tree ornament from Harlem Middle School Art Students.**

VI. APPROVE PAYMENT OF BILLS

VII. OFFICER'S REPORTS

- 1. Public Safety**
- 2. Public Works**

VIII. COMMITTEE REPORTS

- 1. Finance and Administration/Jacobson (Finance, Personnel, Buildings & Grounds, Purchasing, Recreation & Beautification)**
- 2. Public Safety/Allton (Police, Fire, Public Safety & Health)**
- 3. Public Works/Schlensker (Street, Water & Utilities)**
- 4. Codes and Regulations/Peterson (Ordinances & Licenses)**
- 5. Community Development/Frykman (Development, Planning, Zoning, Annexation, Building & Drainage)**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. RESOLUTIONS & MOTIONS

XII. ORDINANCES 2ND READING

- 1. Ordinance amending the Municipal Code of the City of Loves Park, Winnebago and Boone Counties, Illinois to prohibit Adult-Use Cannabis Business Establishments.**
- 2. Ordinance authorizing exchange of city-owned real estate at 4096 Interstate Boulevard, Loves Park, Illinois with real estate held by Interstate Boulevard Properties LLC along and North of Starwood Drive, Loves Park, IL.**

XIII. ORDINANCES 1ST READING

XIV. PUBLIC COMMENT

XV. EXECUTIVE SESSION

XVI. GOOD OF THE ORDER

XVII. ADJOURNMENT



CITY COUNCIL, CITY OF LOVES PARK, ILLINOIS

Journal of Proceedings

Regular Meeting, Monday, November 25, 2019

Loves Park City Hall

Mayor Gregory Jury called the meeting to order at 6:00 p.m.

City Treasurer John Danielson, opened the meeting with an invocation, followed by the Pledge of Allegiance.

Present: Mayor Gregory Jury

Aldermen A. Marie Holmes, Robert Schlensker, Doug Allton, Nancy Warden, John Jacobson, Jim Puckett, Clint Little, John Pruitt, Charles Frykman, Mark Peterson

Also Present: City Clerk Bob Burden
City Attorney Gino Galluzzo

1. Approve Minutes 11/18/19
The Journal of Proceedings for the regular meeting of November 18, 2019, was approved as submitted by the city clerk on a motion by Alderman Little. Second by Alderman Schlensker. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
2. Comcast Rate Increase
Received a notice from Comcast of price increases for services, effective January 1, 2020. Placed on file.
3. IDOT/MFT October 2019
Received a notice from the Illinois Department of Transportation of Motor Fuel Tax distributed to the City of Loves Park for the month of October 2019 in the amount of \$79,529.51. Placed on file.
4. Trash Pickup Delayed
Mayor Jury announced that trash pickup will be delayed this week because of the Thanksgiving holiday and will be picked up on Saturday.
5. Light Up The Parks Parade
Mayor Jury thanked everyone who participated in the Light Up The Parks Parade held last night.
6. Water Department Bills
Alderman Jacobson presented the Water Department bills dated November 18, 2019 in the amount of \$14,869.76, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
7. General Fund Bills
Alderman Jacobson presented the General Fund and all other bills dated November 18, 2019 in the amount of \$264,253.86, and moved that they be paid. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
8. Public Safety Report
Alderman Allton presented the Police Department Report dated November 18, 2019; to be placed on file.
9. Public Works Report
Alderman Schlensker presented the Street Department Report dated November 25, 2019; presented the Water Department Report dated November 25, 2019, to be placed on file.

10. Finance & Administration Committee
Alderman Jacobson of the Finance and Administration Committee presented General Fund and all other bills dated November 25, 2019 in the amount of \$2,528,138.15; for consideration at next week's city council meeting; presented the Treasurer's Report for October 2019, with an ending balance of \$6,825,132.77; presented the minutes from the committee meeting held November 18, 2019, to be placed on file.
11. Public Works Committee
Alderman Schlensker of the Public Works Committee presented the Water Department list of bills dated November 25, 2019 in the amount of \$198,967.23, for consideration at next week's city council meeting; presented the minutes from the committee meeting held November 18, 2019, to be placed on file.
12. Public Safety Committee
Alderman Allton of the Public Safety Committee announced that a committee meeting will be held Monday, December 2, 2019 at 5:30 p.m.
13. Community Development
Alderman Frykman of the Community Development Committee announced that a committee meeting will be held Monday, December 2, 2019 at 6:15 p.m.
14. Public Hearing
Mayor Jury called a Public Hearing to order at 6:07 p.m. Mayor Jury stated that with notice of this public hearing being properly published and set pursuant to state statute, I hereby call this public hearing of the City Council of the City of Loves Park to order. The sole item on the Agenda is the exchange of parcels of land between the City and Interstate Boulevard Properties, LLC in accordance with a Sales Tax Sharing Agreement entered by the City on December 12, 2018.
15. Property Exchange
Mayor Jury stated that the City is exchanging a parcel of land it owns along Interstate Boulevard with a parcel of land along Starwood Drive that Interstate Properties owns. This exchange fulfills a condition of a Sales Tax Revenue Sharing Agreement and allows the City to avoid making a payment it would have to make without the exchange of property. Further, the City finds that the Interstate Property it is exchanging is no longer needed for the public interest and would be better utilized by enhancing economic development opportunities on adjacent property which can improve the City's tax base; the Starwood property the City will be receiving will prove useful for the public interest because it will allow the City to control property access from Starwood leading to more orderly development around the Interstate and Starwood round-a-bout; and that the total value of the exchange to the City is equal to or exceeds the value of the property it owns and the exchange is in the long-term best interest of the City and the public.
16. Public Comment
No public comment.
17. Motion To Adjourn
Alderman Jacobson moved to adjourn. Second by Alderman Schlensker. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
18. Adjournment
Public Hearing adjourned at 6:09 p.m.
19. Renew City's Employee Health Care Insurance Plan/ Reinsurance Carrier
Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this Resolution, the City of Loves Park shall renew the city's employee health insurance plan for one year, with Northern Illinois Health Plan to act as third-party administrator, and UME/United States Fire Insurance Company to act as reinsurance carrier. Renewal shall be effective December 1, 2019. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
RESOLUTION NO. 19-101

20. Amendment To Group Health Plan
Alderman Jacobson presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this Resolution, the City of Loves Park shall adopt Amendment Number 18 to the City of Loves Park Comprehensive Group Health Plan, amending the Summary Plan Description to reflect the addition of in-network benefits regarding access to ECOH Home Medical Product, Primary Care Services. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
RESOLUTION NO. 19-102
21. HIPAA Exemption Letter
Alderman Jacobson presented the following resolution and moved for its adoption: **WHEREAS**, the City of Loves Park is the plan sponsor of the City of Loves Park Comprehensive Group Health Plan, a self-funded and non-federal government insurance plan; **WHEREAS**, the City Council authorizes Mayor Gregory R. Jury to file the HIPAA Exemption Election letter attached hereto as Exhibit “A” and take necessary action in acquiring exemption from the HIPAA requirements detailed in the attached exhibit. **NOW THEREFORE BE IT RESOLVED**, by the City Council of Loves Park, that by the adoption of this resolution: 1. The Mayor of the City of Loves Park is hereby authorized and directed to file the letter attached hereto as Exhibit “A” and take other necessary action in order to exempt the City of Loves Park, the Plan Sponsor of the City of Loves Park Comprehensive Group Health Plan, from the HIPAA requirements detailed therein Exhibit “A”. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
RESOLUTION NO. 19-103
22. Water Department To Hire Municipal Well & Pump For Drilling Of Test Well
Alderman Schlensker presented the following resolution and moved for its adoption: **RESOLVED**, that by the adoption of this Resolution, the Water Department Manager is authorized to hire Midwest Well Services, Inc. dba Municipal Well & Pump, 1212 Storbeck Drive, Waupun, WI 53963, to drill a test well at 930 Windsor Road for the cost of \$126,460.00. Funds shall be drawn from Account No. 31-00-1991 (Well 7 Capital Project). Second by Alderman Jacobson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson)
RESOLUTION NO. 19-104
23. Ordinances First Reading
Alderman Jacobson presented for first reading Agenda Items 1-2, from Ordinances First Reading.
24. 1st Reading Amendment To Prohibit Adult-Use Cannabis Business Establishments
Alderman Jacobson presented for first reading an ordinance amending the Municipal Code of the City of Loves Park, Winnebago and Boone Counties, Illinois to prohibit Adult-Use Cannabis Business Establishments, and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson) Laid over
25. 1st Reading Real Estate Exchange
Alderman Jacobson presented for first reading an ordinance authorizing exchange of city-owned real estate at 4096 Interstate Boulevard, Loves Park, Illinois with real estate held by Interstate Boulevard Properties LLC along and North of Starwood Drive, Loves Park, IL., and moved to waive the reading of the ordinance as all aldermen have been provided copies. Second by Alderman Peterson. Motion carried. 10 Ayes (Aldermen Holmes, Schlensker, Allton, Warden, Jacobson, Puckett, Little, Pruitt, Frykman, Peterson) Laid over
26. Adjourn
Alderman Jacobson moved that the meeting be adjourned. Second by Alderman Schlensker. Motion carried by voice vote. The meeting was adjourned at 6:14 p.m.

APPROVED:

Robert J. Burden, City Clerk

COMMITTEE MEETINGS:

Public Safety:

Monday, December 2, 2019
5:30 p.m.

STANDING COMMITTEE MEETINGS:

Community Development:

Following City Council Meeting
6:15 p.m.

Finance and Administration:

Prior to Council Meeting
5:40 p.m.

Public Works:

Prior to Council Meeting
5:15 p.m.

Zoning Board of Appeals:

3rd Thursday of the Month
5:30 p.m.



LOVES PARK **POLICE**

540 Loves Park Drive, Loves Park, IL 61111

Phone 815/654-5015 Fax 815/633-0555

To: Alderman Doug Allton

From: Chief Charles Lynde

Date: 12/02/2019

Subject: Police Activity Report

Police activity report for the week of 11/17/2019 through 11/23/2019

Calls for Service 515

Total Number of Arrests 230

Accidents 8

MICHAEL MCCAMMOND
DEPUTY CHIEF OF POLICE

CHARLES LYNDE
CHIEF OF POLICE

SHANE LYNCH
DEPUTY CHIEF OF POLICE

**Department of Public Works
Street Department Weekly Activity Report**

Submitted by: Shannon Messinger
Street Department Manager

Week of November 25, 2019 thru December 2, 2019

Previous week's activity:

1. Continued working on trucks.
2. Continued putting up Christmas decorations.
3. Started street sweeping again at the end of the week.
4. Finished remaining asphalt patches for the catch basin repairs.
5. Stock piled road salt.

Proposed work:

1. Continue working on trucks.
2. Finish putting up Christmas decorations.
3. Continue street sweeping.
4. We will be putting on the new plow blades on all of the trucks.
5. Help the Water Dept. with a main break on N2nd.

Loves Park Water Department

Weekly Activity Report

Submitted by: Craig McDonald
Department Manager

Date: **11/21/19-11/27/19**

Previous week's activity:

1. Routine work:
 - a. Install new meters
 - b. JULIE locates
 - c. Chemical tests
 - d. Back wash wells as needed
 - e. Read commercial and residential meters
2. Continued radio read meter installation
3. Continued repairing hydrants from flushing
4. Repaired main break at 417 Glendale Rd.
5. Repaired main break at 5318 North Second St.
6. Decorated float for alderman for light up the parks parade
7. Do shut offs for non-payment for the water dept.

Work anticipated for this week:

1. Continue radio read meter installation
2. Undecorate float for alderman for light up the parks parade

**CITY OF LOVES PARK
AGENDA
FINANCE & ADMINISTRATION COMMITTEE
DECEMBER 2, 2019 – 5:40 P.M.
CITY COUNCIL CHAMBERS**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES FROM THE COMMITTEE MEETING HELD NOVEMBER 25, 2019
4. ITEMS FOR CONSIDERATION
5. LIST OF BILLS
6. GENERAL DISCUSSION/PUBLIC COMMENT
7. ADJOURN

FINANCE AND ADMINISTRATION COMMITTEE
MEETING MINUTES

DATE OF MEETING: November 25, 2019

CALLED TO ORDER: 5:40 P.M.

MEMBERS PRESENT: Aldermen John Jacobson, Mark Peterson, Charles Frykman, John Pruitt

MEMBERS ABSENT:

ALSO PRESENT: Mayor Jury, Clerk Burden, Treasurer Danielson, Steve Thompson, Attorney Galluzzo, A. Marie Holmes, Robert Schlensker, Doug Allton, Nancy Warden, Jim Puckett, Clint Little, Chief Wiltfang, Chief Lynde

MINUTES APPROVAL: November 18, 2019

Alderman Peterson moved to approve minutes. Second by Alderman Frykman.
Motion carried. 4 Ayes – 0 Nays

ITEMS FOR CONSIDERATION

1. Resolution authorizing the renewal of the city's employee health insurance plan for one year, effective December 1, 2019.

Alderman Peterson moved to approve. Second by Alderman Frykman.
Motion carried. 4 Ayes – 0 Nays

2. Resolution authorizing the adoption of Amendment Number 18 to the City of Loves Park Comprehensive Group Health Plan, adding access to ECOH Home Medical Product, Primary Care Services.

Alderman Peterson moved to approve. Second by Alderman Frykman.
Motion carried. 4 Ayes – 0 Nays

3. Resolution authorizing the Mayor to file the HIPAA Exemption Election Letter.

Alderman Peterson moved to approve. Second by Alderman Frykman.
Motion carried. 4 Ayes – 0 Nays

4. Ordinance amending the Municipal Code of the City of Loves Park, Winnebago and Boone Counties, Illinois to prohibit Adult-Use Cannabis Business Establishments.

Alderman Peterson moved to approve. Second by Alderman Frykman.
Motion carried. 3 Ayes – 1 Nays

5. Ordinance authorizing exchange of city-owned real estate at 4096 Interstate Boulevard, Loves Park, Illinois with real estate held by Interstate Boulevard Properties LLC along and North of Starwood Drive, Loves Park, Illinois.

Alderman Peterson moved to approve. Second by Alderman Pruitt.
Motion carried. 4 Ayes – 0 Nays

6. List of Bills: No questions or concerns.

7. Adjournment.

Alderman Peterson moved for adjournment. Second by Alderman Frykman.
Motion carried. 4 Ayes – 0 Nays

Adjournment: 5:55 P.M.

RESPECTFULLY SUBMITTED: CHAIRMAN JACOBSON OF THE FINANCE COMMITTEE



CITY OF LOVES PARK

Department of Community Development

100 HEART BOULEVARD
LOVES PARK, ILLINOIS 61111
815- 654-5033 • Fax: 815-654-5004

Planning • Zoning • Building • Economic Development

AGENDA

City of Loves Park
Community Development Committee Meeting
December 2, 2019
CITY COUNCIL CHAMBERS
6:15 P.M.
100 Heart Boulevard, Loves Park, Illinois 61111

1. Roll call and declaration of a quorum
2. Reading and approval of the minutes from the **October 28, 2019** meeting
3. Report from the Community Development Department – None
4. Unfinished business – None
5. New business –
 - A. **2218 EVANS AVENUE** – A Variance to install a parking pad alongside of the existing driveway in the R1 (Single Family Residential) Zoning District.

Staff Recommendation: Approval

ZBA Recommendation: Approval
 - B. **6104 E. RIVERSIDE BOULEVARD** – A Variance from a required 50' front yard building setback to a requested 35' front yard building setback.

Staff Recommendation: Approval

ZBA Recommendation: Approval
 - C. **TEXT AMENDMENT** – A Text Amendment to allow car dealerships as a permitted use by Special Use Permit in the CR (Commercial Retail) & N. Second Street Overlay Districts.

Staff Recommendation: Laid Over

ZBA Recommendation: Laid Over
 - D. **5400 N. SECOND STREET & 5312 N. SECOND STREET** – A Special Use Permit to allow an automobile sales and service station with interior and exterior automobile sales areas in the CR (Commercial Retail) Zoning & N. Second Street Overlay Districts.

Staff Recommendation: Laid Over

ZBA Recommendation: Laid Over

- E. **TEXT AMENDMENT** – CHAPTER 102, ZONING, ADULT-USE CANNABIS – ESTABLISHING APPROPRIATE DISTRICTS FOR VARIOUS USES.

Staff Recommendation: Approval

ZBA Recommendation: Approval

6. Public participation & comment
7. General discussion
8. Adjournment

Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be considered before a petition for a variation may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

Location: 6104 E. Riverside Boulevard

ZBA

- 1 - True Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.

Reason:

Existing patio.

- 2 - True There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties classified in the same zoning district.

Reason:

Existing patio

Set-back line moved when
Riverside was widened.

- 3 - True Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

Reason:

Existing patio

- 4 - True The granting of the variation will not constitute a grant of special privilege inconsistent with the limitations on the other properties classified in the same zoning district.

Reason:

Existing patio.

- 5 - True The granting of the variation will not be detrimental to the public health, safety, welfare or material injurious to properties or improvements in the vicinity.

Reason:

Canopy is existing w/ no negative issues.

6. Yes. The concurring vote of four members of the board shall be necessary to recommend the authorization of any variance in this chapter.

Quorum met.

These findings are based on staff interpretation of the required findings necessary for approval of a variation. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a variation.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: 6104 E. Riverside Boulevard
Variance from a 50 front yard building setback to a 35 foot front yard building setback

Chairman

Alise Howlett

Alise Howlett

Signature

Date

11/21/19

Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be considered before a petition for a variation may be approved.

Mark **"Yes,"** if the findings have been considered and found to be relevant and true. Mark **"No,"** if the findings have been considered and found to be not true. If you mark **"No,"** please explain why in the space provided below each finding. Mark **"N/A,"** if the findings are not applicable to the situation.

Location: 2218 Evans Avenue

ZBA

- 1 - True Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.

Reason:

Autos
Block sidewalks and create safety hazards.

- 2 - True There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties classified in the same zoning district.

Reason:

Less than standard lots create hardship.

- 3 - True Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

Reason:

Others with similar lots have larger parking surfaces.

- 4 - True The granting of the variation will not constitute a grant of special privilege inconsistent with the limitations on the other properties classified in the same zoning district.

Reason:

Same as #3.

- 5 - True The granting of the variation will not be detrimental to the public health, safety, welfare or material injurious to properties or improvements in the vicinity.

Reason:

Creates more safety & allows cars to park in driveway.

- 6 Yes The concurring vote of four members of the board shall be necessary to recommend the authorization of any variance in this chapter.

quorum met.

These findings are based on staff interpretation of the required findings necessary for approval of a variation. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a variation.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: ~~2218 Devon Avenue~~ 2218 Evans Avenue

Variance to install parking pad alongside of the exiting driveway.

Chairman

Alise Howlett

Alise Howlett

Signature

Date

11/21/19

Community Development Committee Meeting Minutes

Date of Meeting: October 28, 2019 **Start Time:** 6:33 PM

Members Present:

Ald Frykman	<input checked="" type="checkbox"/>
Ald Holmes	<input checked="" type="checkbox"/>
Ald Warden	<input checked="" type="checkbox"/>
Ald Allton	<input checked="" type="checkbox"/>

Staff Present:

Andrew Quintanilla	<input checked="" type="checkbox"/>
Steve Thompson	<input type="checkbox"/>
Nathan Bruck	<input checked="" type="checkbox"/>

Others Present:

Mayor Jury	<input type="checkbox"/>
Ald Puckett	<input checked="" type="checkbox"/>
Ald Little	<input type="checkbox"/>
Ald Pruitt	<input type="checkbox"/>
Ald Schlensker	<input type="checkbox"/>
Ald Jacobson	<input type="checkbox"/>
Ald Peterson	<input type="checkbox"/>
Gino Galluzzo	<input type="checkbox"/>

Approval of Minutes : Date: October 21, 2019 Meeting

Motion: Ald. Warden Second: Ald. Allton Vote: 3-0
Ald. Holmes: present

Old Business: None

New Business:

A. 213, 217, 221, and 225 EAST RIVERSIDE BOULEVARD - A Special Use Permit for a boat sales establishment with outside display in the CR (Commercial Retail) Zoning District.

Petitioner: Edward Dilonardo

Objectors Present:

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Motion to Approve/Deny/Lay Over: Approve Vote: 4-0
By: Ald. Warden
Second: Ald. Allton

Conditions:

Yes

Notes/Petitioners:

The SUP was approved with conditions presented by Staff. Condition #3, as amended by the
ZBA, was kept. Condition 3 provided the applicant 18 months to pave all areas used for parking
and driving.

**B. TEXT AMENDMENT - CHAPTER 102, ARTICLE III, DISTRICTS, DIVISION 2, RESIDENTIAL,
SECTION 102-152**

Petitioner: CITY OF LOVES PARK

Objectors Present:

Yes

No

X

Motion to Approve/Deny/Lay Over:

Approve

Vote: 4-0

By:

Ald. Holmes

Second:

Ald. Allton

Conditions:

None

Notes/Petitioners:

C. TEXT AMENDMENT - CHAPTER 102, ADULT USE CANNABIS

Petitioner: CITY OF LOVES PARK

Objectors Present:

Yes

No

X

Motion to Approve/Deny/Lay Over:

Approve

Vote: 2-0

By:

Ald. Warden

Ald. Holmes - Abstained

Second:

Ald. Frykman

Ald. Allton - Abstained

Conditions:

None

Notes/Petitioners:

Discussion on approval of definitions/classifications for adult use cannabis.

Public Participation and Comment: None

General Discussion: None

Adjournment:

Motion by:	<u>Ald. Warden</u>
Second:	<u>Ald. Holmes</u>
End Time:	<u>7:11 PM</u>

Respectfully submitted by Alderman Chuck Frykman, Chairman of the Community Development Committee

**CITY OF LOVES PARK
AGENDA
PUBLIC SAFETY COMMITTEE
DECEMBER 2, 2019 – 5:15 P.M.
CONFERENCE ROOM A**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES FROM THE COMMITTEE MEETING HELD NOVEMBER 4, 2019
4. ITEMS FOR CONSIDERATION
 - A. Discussion regarding elevator inspections by the Loves Park Fire Department.
5. GENERAL DISCUSSION/PUBLIC COMMENT
6. ADJOURN

City Of Loves Park Illinois
Public Safety Committee (Police, Fire, Public Safety & Health)

MINUTES

Date of Meeting: November 04, 2019

Called to Order: 5:04PM

Adjournment: 5:19PM

Members Present: Chairman Alderman Doug Allton, Vice Chairman Alderman Schlensker, Alderman Little and Alderman Puckett.

Members Absent: None.

Also Present: Mayor Jury, Chief Wiltfang, John Danielson Bob Burden and John Jacobson.

Approval of the previous meeting minutes (10/28/2019) presented to committee. Alderman Little moved to approve, seconded by Alderman Puckett, motion carried, Vote 4-0 (Ayes, Alderman Allton, Alderman Schlensker, Alderman Little & Alderman Puckett.

Matters Proposed, Discussed or Decided and Record of Votes Taken:

General Discussion: Group discussion of the Loves Park EMS versus Metro EMS Provider proposal supplied by Metro Medical Services. After the Discussion was over, a decision was made to send Metro Medical Services a Letter indicating that the City would be continuing on with the services they are providing by the Fire Department.

Public Comment: None.

Adjournment: Alderman Puckett moved for adjournment at 5:19PM, Alderman Schlensker Seconded. Motion carried 4-0 (4 Ayes, Alderman Allton, Alderman Schlensker, Alderman Little and Alderman Puckett).

Respectfully submitted,


Public Safety Chairman Alderman Doug Allton

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE CITY OF LOVES PARK, WINNEBAGO AND BOONE COUNTIES,
ILLINOIS TO PROHIBIT ADULT-USE CANNABIS BUSINESS
ESTABLISHMENTS**

WHEREAS, the City has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the City has the authority to prohibit adult-use cannabis business establishments; and

WHEREAS, the City has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the City of Loves Park; and

WHEREAS, the City Council has determined that passage of this ordinance prohibiting the location of adult use cannabis business establishments within the City is in the best interests of the City and the public; and

WHEREAS, nothing herein shall be deemed to conflict with or in any way impede or impact the provisions set forth in the Municipal Code of the City of Loves Park (“City Code”) pertaining to Medical Cannabis, including but not limited to Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Loves Park, Winnebago and Boone Counties, Illinois as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Adult-Use Cannabis Business Establishments Prohibited. Chapter 22 of the City Code shall be amended by the addition of Article VII that will read as follows:

ARTICLE VII Adult-Use Cannabis Business Establishments Prohibited.

Sec. 22-310. Definitions.

The following words and phrases shall, for the purposes of this Article VII, have the meanings respectively ascribed to them by this section, as follows:

Adult-Use Cannabis Business Establishment: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult-Use Cannabis Craft Grower: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Cultivation Center: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. Adult Use Cannabis Cultivation Center does not include Medical Cannabis Cultivation Centers as defined in Section 102-9 of the City Code.

Adult-Use Cannabis Dispensing Organization: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. Adult Use Cannabis Dispensing Center does not include Medical Cannabis Dispensing Centers (Medical Cannabis Dispensary) as defined in Section 102-9 City Code.

Adult-Use Cannabis Infuser Organization Or Infuser: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Processing Organization Or Processor: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-Use Cannabis Transporting Organization Or Transporter: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis

Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Person: A natural individual, firm, corporation, limited liability company, partnership, association, joint stock company, joint venture, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent, or a receiver, executor, trustee, guardian, or other representative appointed by Order of any court.

Sec. 22-311. Adult-Use Cannabis Business Establishments Prohibited. The following Adult-Use Cannabis Business Establishments are prohibited in the City of Loves Park. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the City of Loves Park of any of the following:

- Adult-Use Cannabis Craft Grower
- Adult-Use Cannabis Cultivation Center
- Adult-Use Cannabis Dispensing Organization
- Adult-Use Cannabis Infuser Organization or Infuser
- Adult-Use Cannabis Processing Organization or Processor
- Adult-Use Cannabis Transporting Organization or Transporter

Adult-Use Cannabis Business Establishments do not include Medical Cannabis Cultivation Centers or Medical Cannabis Dispensing Organizations (Medical Cannabis Dispensaries) as set forth in Section 102-9 of the City Code.

Sec. 22-312. Public Nuisance Declared. Operation of any prohibited Adult-Use Cannabis Business Establishment within the City of Loves Park in violation of the provisions of this Article VII is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

Sec. 22-313. Violations. Violations of this Article VII may be enforced in accordance with the provisions of Section 54-217 of the City Code.

SECTION 3. Penalties. Section 54-217 of the City Code shall be amended to include a violation of new Section 22-313 by inserting the highlighted language below. As amended, Section 54-217(a) shall read as follows:

Sec. 54-217. – Maintaining public nuisance.

(a) *Generally.* Any building or dwelling used in the commission of offenses prohibited by sections 720 ILCS 5/9-1, 5/10-2, 5/11-14, 5/11-15, 5/11-16, 5/11-17, 5/11-20.1, 5/11-21, 5/11-22, 5/12-5.1, 5/16-1, 5/20-2, 5/24-1(a)(7), 5/24-3, 5/28-1 or 5/31-5, prohibited by the Illinois Controlled Substances Act (720 ILCS 570/1 et seq.), or the Cannabis Control Act, or used in the commission of an inchoate offense relative to any of the aforesaid principal offenses, or used to engage in gang-related activities within the meaning of section 54-216, or used in violation of section 22-313 of this Code, is a public nuisance.

SECTION 4. Conflicts. Any ordinances, or parts of ordinances, in conflict with this ordinance, other than those ordinances drafted pursuant to and in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 *et seq.*, are hereby expressly repealed.

SECTION 5. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS _____ day of _____, 20__.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

APPROVED THIS _____ day of _____, 20 __.

Mayor Gregory R. Jury

ATTEST:

City Clerk Robert J. Burden

**AN ORDINANCE AUTHORIZING EXCHANGE OF CITY-OWNED REAL ESTATE AT 4096
INTERSTATE BOULEVARD, LOVES PARK, ILLINOIS WITH REAL ESTATE HELD BY
INTERSTATE BOULEVARD PROPERTIES LLC ALONG AND NORTH OF STARWOOD
DRIVE, LOVES PARK, ILLINOIS**

WHEREAS, the City is a duly organized and existing municipality created by the laws of the State of Illinois and is operating pursuant to the Illinois Municipal Code as amended from time to time; and

WHEREAS, Section 76.2 of the Illinois Municipal Code (65 ILCS 5/11-76.2-1 *et seq.*) permits the City to exchange land when doing so is deemed by the City to be in its best interests; and

WHEREAS, the City believes it is in its best interest for the furtherance of economic development, a public purpose, to exchange property it owns, commonly known as 4096 Interstate Boulevard, Loves Park in Winnebago County, Illinois having PIN Number 12-01-151-016 consisting of approximately 0.57 acres ("Interstate Property") with property owned by Interstate Boulevard Property LLC that does not have an assigned numerical address but which is located along the north side of a portion of Starwood Drive lying west of Interstate Boulevard having PIN number 12-01-151-014 consisting of approximately 0.18 acres ("Starwood Drive Property"), with both the Interstate Property and Starwood Drive Property depicted in Exhibit "A" attached hereto and legally described in Exhibit "B" attached hereto; and

WHEREAS, pursuant to Section 76.2 of the Illinois Municipal Code the corporate authorities of the City were required to hold a Public Hearing before such exchange of land could take place; and

WHEREAS, at a meeting held October 28, 2019, the Loves Park corporate authorities did unanimously pass a resolution to hold the required Public Hearing on November 25, 2019 at 6:00 p.m. at the Loves Park City Hall; and

WHEREAS, the City caused to be published in a newspaper of general circulation in the City a public notice of the required Public Hearing with such publication occurring on November 7, 2019, a date not less than fifteen (15) days before the Public Hearing nor more than thirty days (30) prior to the date of the Public Hearing; and

WHEREAS, the Public Hearing was held on November 25, 2019 at the meeting that began at 6:00 p.m. at the City Hall; and,

WHEREAS, the City believes it is in its best interests to exchange its Interstate Property with the Starwood Drive Property as the exchange better positions the properties to promote further economic development and growth of the tax base of the City; and

WHEREAS, as a result of the exchange the City satisfies a condition of a Sales Tax Revenue Sharing Agreement entered into by the City dated December 12, 2018 and will be able to avoid making a payment of \$200,000 which would otherwise be due pursuant to that Sales Tax Revenue Sharing Agreement; and

WHEREAS, the corporate authorities of the City find that the premises to be conveyed by the municipality under such exchange is no longer needed by the municipality for the public interest; and

WHEREAS, the corporate authorities of the City find that the premises to be received by the municipality under such exchange will prove useful to the municipality and will be for the public interest; and

WHEREAS, the corporate authorities of the City find that, in consideration of the long-term best interest of the public, the total value of the substitutional premises is approximately equal to or exceeds the value of the premises for which same are being exchanged.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Loves Park, Illinois, that:

1. The above recitals are hereby incorporated into this Ordinance as if fully stated herein.
2. The Mayor is hereby authorized to sign all ordinary and customary documents and take other related action to consummate the exchange contemplated herein.
3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions thereof.
4. All other provisions of the Code and any City Ordinances or Resolutions shall remain in effect as previously enacted except that those Ordinances, Resolutions or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.
5. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED the _____ day of _____, 2019.

Gregory R. Jury
Mayor

Robert J. Burden
Attest: City Clerk

MOTION:

SECOND:

VOTING:

EXHIBIT "A"

Properties to be Exchanged



EXHIBIT “B”

LEGAL DESCRIPTIONS

Interstate Property legal description: Lot 7 as designated upon the plat of SCL Retail Subdivision Plat No. 2 being a subdivision of part of the Northwest Quarter (1/4) of Section 1 and a resubdivision of part of Lot 2, all of Lot 3 and part of Lot 4 as designated upon Plat No. 2 of Riverside I-90 Centre, all in Township 44 North, range 2 East of the Third Principal Meridian, the plat of which subdivision is recorded October 30, 2018 in book 49 of plats on page 159B as document No. 20181031602 in the Recorder's Office of Winnebago County, Illinois; situated in the county of Winnebago and the state of Illinois.

Starwood Drive Property legal description: Outlot C as designated upon the plat of SCL Retail Subdivision Plat No. 2 being a subdivision of part of the Northwest Quarter (1/4) of Section 1 and a resubdivision of part of Lot 2, all of Lot 3 and part of Lot 4 as designated upon Plat No. 2 of Riverside I-90 Centre, all in Township 44 North, range 2 East of the Third Principal Meridian, the plat of which subdivision is recorded October 30, 2018 in book 49 of plats on page 159B as document No. 20181031602 in the Recorder's Office of Winnebago County, Illinois; situated in the county of Winnebago and the state of Illinois.