

VILLAGE OF HEBRON  
VILLAGE BOARD MEETING  
DECEMBER 16, 2019

President Martinez called the meeting to order at 7:04 p.m.

The meeting began with the Pledge of Allegiance.

Trustees Shepherd, Drevalas, Ritzert, Wagner, Lange and Peterson, answered aye to roll call.

**Discussion and Vote to Approve minutes of November 18, 2019 Village Board Meeting**

Trustee Ritzert made a motion to approve the minutes of the November 18, 2019 Village Board meeting. Trustee Peterson seconded the motion. Trustees Ritzert, Peterson, Shepherd, Drevalas, Wagner, and Lange approved the motion by answering aye. Motion carried.

**Discussion and Vote to Approve November/December 2019 Accounts Payable**

Trustee Shepherd reported that there was \$15,317.23 due in accounts payable for General Fund and \$15,058.94 due in the Water/Sewer Fund accounts payable. The total due for accounts payable was \$30,376.17. Trustee Shepherd made a motion to approve the November/December accounts payable as presented. Trustee Lange seconded the motion. Trustee Shepherd, Lange, Drevalas, Ritzert, Wagner and Peterson approved the motion by answering aye. Motion carried by all.

**President's Report**

President Martinez announced that the annual Christmas Tree Lighting was a bit rainy and chilly, but it was a success. She also stated that the ice rink will be open as soon as possible, weather permitting.

She mentioned that there has been much discussion regarding the new waste provider contract with Prairieland Disposal with questions on who can opt out of this service. She clarified that opt outs are only allowed for the Village businesses and they must provide their contract with other providers to the Village Clerk. These contracts are entered into by all municipalities and rely on complete participation by residents. She added that this contract begins and ends at lower rates than the Village residents are currently paying to Waste Management. It also offers a tiered pricing policy.

**Public Comment**

*Ray Stalker, 11828 Prairie Avenue*, Mr. Stalker stated that the Board should have received a packet from him. He said that the marijuana that the Board is discussing today is not the same marijuana from years ago; it is much stronger. He feels the decision tonight has been based around money. He feels that the issues are mental illness, increased DUI incidents, and the tragic results of this to users and non-users. He is concerned about the safety of this drug and the damage to children as their brains are still developing. He encouraged the Village Board to vote no on this issue.

There were no other comments.

**Announce Christmas Light Contest Winners – Residential and Commercial**

President Martinez announced the winners of the business division first and they were:

- Third Place – The Dari
- Second Place – Beaners
- First Place – Hart’s Saloon

Next, she announced the winners of the residential division of the contest and they were:

- Third Place – Robert Wagner, 9704 Illinois Street
- Second Place – Adam Mass, 9706 Illinois Street
- First Place – Don Garrett, Sr., 9710 Woods Lane

**Discussion and Vote to Approve an Ordinance Amendment to Add Cannabis Craft Grower and Cannabis Dispensaries as Permitted uses in B2 Business District**

President Martinez announced that a Public Hearing was held prior to the Board meeting. Attorney Smoron stated that late last June legislature passed regarding this and he gave a brief overview of that legislation. He confirmed that cannabis craft growers and dispensaries within the B2 District was approved by all Planning and Zoning Commission members.

Trustee Ritzert asked if individuals could use cannabis at the dispensaries. Attorney Smoron stated that the Board could add restrictions (i.e. no drive throughs, hour restrictions, no on-site consumption, etc.). President Martinez approved of regulating on-site consumption. She stated that the Board has control, the same as the control they have with liquor licenses. She added that the Board can dictate the cost of these permits.

Trustee Wagner did not see the harm in using at the dispensaries. Trustee Peterson asked if both the dispensary and the craft grower would be in the same building. President Martinez stated that they would be in the same building, with the dispensary on the first floor and the craft growing in the basement, with no access by the public. Trustee Peterson stated they would have their own security which is quite strict. Trustee Shepherd explained that there are state guidelines that all must follow. He added that the Board can license and regulate these establishments. He would be in favor as the added revenue would benefit the Village over time. President Martinez stated that the Village can ask for a local tax of 2-3 percent. She suggested using the increased revenue into the paying down the IEPA loan and for the improvement of the failing Village water mains.

Trustee Shepherd made a motion to approve an ordinance amendment to add cannabis craft grower and cannabis dispensaries as permitted uses in the B2 Business District excluding on-site consumption. Trustee Ritzert seconded the motion. Trustee Shepherd, Ritzert, Drevalas, Wagner, Lange and Peterson approved the motion by answering aye. Motion carried by all.

**Discussion and Vote to Approve Single Cannabis Dispensary Operation and Craft Grower Application**

President Martinez announced that the Village has received an application from Anthony Rein for a cannabis dispensary and craft grower operation. She reviewed the application highlights. She added that there are strict security measures that the state has set forth and the applicant will go above and beyond what the state requires regarding security. He is in good standing with the State of Illinois regarding his certificate to operate as a dispensary and craft grower. He is number three in the United States for cannabis operations. President Martinez introduced the landlord and building owner, Jeff Alheit. He stated that there is 5,000 square feet in the basement of the building which would be used as the craft growing area.

Chief Donlea explained that security would be an internal system; they would still have to call on the Village Police Department with issues. Trustee Shepherd and Drevalas were fine with his request. Trustee Ritzert asked if this would add jobs within the community and President Martinez answered that it would add sales jobs. Attorney Smoron added that there must be two people present to operate such an establishment, not including the security people.

Trustee Shepherd made a motion to approve the single cannabis dispensary operation and craft growing application. Trustee Drevalas seconded the motion. Trustee Shepherd, Drevalas, Ritzert, Wagner, Lange and Peterson approved the motion by answering aye. Motion carried by all.

**Discussion and vote to approve an Ordinance Amending the Municipal Code of the Village of Hebron by adding a new Chapter 11 to Title 3, Business Regulations and Licensing, Imposing a Municipal Cannabis Retailers' Occupation Tax**

President Martinez began by recommending either 2 percent or 3 percent tax. She stated that a dispensary that sells \$200,000 would net \$4,000 to the Village on 2 percent rate or \$6,000 on a 3 percent rate. She added that this would be a local tax in addition to the Village portion of the regular state retail sales tax. This local tax could be used by the Village where needed. Attorney Smoron explained that this tax could be changed by the Village at a future date, but there could be a lag time for it to take effect which could be as much as six months. Discussion ensued as to the amount of the tax. President Martinez polled the audience members; seven were for 3 percent and four were in favor of 2 percent.

Trustee Wagner made a motion to approve an ordinance amending the municipal code of the Village of Hebron by adding a new Chapter 11 to Title 3, Business regulations and licensing, imposing a municipal cannabis retailers' occupation tax of 3 percent. Trustee Lange seconded the motion. Trustee Wagner, Lange, Ritzert, Shepherd, Drevalas, and Peterson approved the motion by answering aye. Motion carried by all.

**Discussion and Vote to Approve an Ordinance Amending Section 8-4-11, Drug Paraphernalia, and Section 8-4-12, Possession of Cannabis, of Chapter 4, Offenses Against Public Peace, Safety and Morals, of the Hebron Municipal Code**

President Martinez explained that this amended ordinance would eliminate cannabis and associated paraphernalia and disallow use on public rights of way, within the Village parks and within any municipal building. Trustee Peterson made a motion to approve this ordinance as presented. Trustee Lange seconded the motion. Trustee Peterson, Lange, Shepherd, Drevalas, Ritzert and Wagner approved the motion by answering aye. Motion carried by all.

**Discussion and Vote to Approve the 2020 Annual Siren Maintenance Contract with Fulton Siren Services**

Trustee Peterson asked Dan Nelson, Public Works Superintendent, if Fulton Siren Services has held to their contract in the past. He stated that they had. Trustee Shepherd made a motion to approve the 2020 Annual Siren Maintenance Contract with Fulton Siren Services. Trustee Ritzert seconded the motion. Trustee Shepherd, Ritzert, Drevalas, Wagner, Lange and Peterson approved the motion by answering aye. Motion carried by all.

**Discussion and Vote to Approve Employee Wage Increases**

President Martinez commended the current staff. She stated that she sits down with department heads, then the staff fills out their self-review form, and then she sits down with each employee. This process is done once a year and is effective January 1, 2020. Trustee Shepherd made a motion to approve the employee wage increases. Trustee Lange seconded the motion. Trustee Shepherd, Lange, Drevalas, Ritzert, Wagner and Peterson approved the motion by answering aye. Motion carried by all.

**Discussion and Vote to Approve Village Board Meeting Schedule 2020**

President Martinez explained that typically the first meeting of the month is cancelled. These meetings are scheduled to avoid "Special Meetings" and restrictive agendas. Trustee Lange made a motion to approve the Village Board Meeting Schedule 2020. Trustee Wagner seconded the motion. Motion carried by all.

**Department Head Reports**

Treasurer Fotland reported that two grants have been submitted. She explained that the grant involving water main repairs will be done in phases.

Dan Nelson reported that he has submitted a grant for parks.

Trustee Peterson explained that the engineering portion of these grants would be the responsibility of the Village. Treasurer Fotland explained further that regarding the grants she submitted, the Village would be responsible for 10 percent during a period of two years.

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Dan Nelson reported that they were finished with leaf pickup and will start on the ice rink. Trustee Ritzert asked how many easement trees were lost this year and she suggested to put money in the budget for tree replacement. Dan Nelson said that there were 4 to 5 trees lost.

Chief Donlea stated that they have noticed multiple cars on Route 47 that had been started remotely and not locked. He cautioned residents about this practice.

**Attorney Report**

Attorney Smoron reported that the trial for the J&L litigation will be on January 13. The next court hearing will be on January 3 and he is hoping that the trial date sticks. He added that the trial should not go on more than two to three days.

**Board Comments**

There were no Board comments other than wishes for a happy holiday season.

President Martinez announced that the Village Board meeting on January 7 will be cancelled and the next meeting will be on Monday, January 21 at 7:00 p.m.

Trustee Wagner made a motion to adjourn at 8:26 p.m. Trustee Shepherd seconded the motion. Motion carried by all voting aye.



Jean Attermeier,  
Village Clerk



Kimmy Martinez,  
Village President