

These minutes were approved at the 11/18/19 City Council meeting.  
CITY OF WEST CHICAGO – 475 Main Street - AMENDED  
CITY COUNCIL MINUTES  
Regular Meeting  
November 4, 2019

1. **Call to Order.** Mayor Ruben Pineda called the meeting to order at 7:00 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Swiatek led all in the pledge of allegiance.
3. **Invocation.** The City Clerk gave the invocation in honor of Veterans Day.
4. **Roll Call and Establishment of a Quorum.**

Roll Call found Aldermen Lori J. Chassee, James E. Beifuss, Jr., Heather Brown, Jayme Sheahan, Michael D. Ferguson, Alton Hallett, Sandy Dimas, Melissa Birch-Ferguson, Christopher Swiatek, Matthew E. Garling, Jeanne M. Short, Rebecca Stout, and Noreen Ligino-Kubinski present. The Mayor announced a quorum.

City Clerk Nancy M. Smith was also present.

Also in attendance were City Attorney Patrick K. Bond, City Administrator Michael L. Guttman, Chief of Police Mike Uplegger, Deputy Chief of Police Chris Shackelford, and Community Development Director Tom Dabareiner.

**5. Public Participation.**

**A. Proclamation: American Legion Auxiliary – 100<sup>th</sup> Anniversary.** At the Mayor's request, the City Clerk read his proclamation (copy attached) in which he proclaimed November 10, 2019, as "American Legion Auxiliary" Centennial Day." Accepting the Proclamation from the Mayor were Kathy Hummel, Dona Smith, and Melissa Birch-Ferguson. Ms. Smith said the Auxiliary has been very successful in putting on their dinner for the veterans from the DuPage Care Center. The Auxiliary is going to be making coverlets for the veterans and will be seeking donations for materials. She thanked the Mayor for the Proclamation. The Mayor said he will be speaking at the Veterans Day observance at the American Legion on November 11, 2019.

The following people spoke during Public Participation regarding Ordinance 19-O-0036 – An Ordinance of the City of West Chicago, DuPage County, Illinois, Adding Article XXIV Prohibiting Adult Use Cannabis Business Establishments Other Than Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations, to Chapter 9 of the Code of Ordinances of the City of West Chicago:

The following people were in favor of the ordinance:

- 1) Jeff Wisdom, 27W570 Ridgeview Street, West Chicago
- 2) Mary Miller, with Wheaton Academy, 37W173 Baker Hill Court, St. Charles
- 3) Erik Miller, 512 Highland Avenue, West Chicago
- 4) Debra Miller, 512 Highland Avenue, West Chicago
- 5) Becky Charleston, 307 Woodside Court, West Chicago
- 6) Joe Becker, 15621 Bender, West Chicago
- 7) Christian Rivera, board member for District 33, 812 Grove Avenue, West Chicago
- 8) Jim Fuoss, 515 Main Street, Apt 400, West Chicago
- 9) Melanie Young, 750 Hickory Lane, West Chicago
- 10) Hank Betts, representing Forest Trails Home Owners' Association, 1109 Ridgewood Drive, West Chicago
- 11) Patt Long, 553 Ingaltton Avenue, West Chicago
- 12) Steven Oh, 1070 Cherrywood Lane, West Chicago
- 13) Dean Klapatch, 723 Hickory Lane, West Chicago
- 14) Charlene Oh, 1070 Cherrywood Lane, West Chicago
- 16) Sue Dylhoff, 441 Spring Cress Court, West Chicago
- 17) Patti Pozen, 895 McCormick Lane, West Chicago
- 18) Daniel J. Culloton, 418 Elite Avenue, West Chicago, provided an article by Alex Berenson in the *New York Times*. A copy is available for viewing in the Clerk's office.
- 19) Chris McElwee, with Wheaton Bible Church-*Puente del Pueblo*, 27W500 North Avenue, West Chicago
- 20) Heidi Appleton, 1021 Acorn Hill Lane, West Chicago
- 21) Matthew McNeil, with *Puente Del Pueblo*, 1200 Kings Circle, Unit 17, West Chicago
- 22) Joel Duncan, 422 Virgie Place, West Chicago
- 23) Gene Frost, Wheaton Academy, 900 Prince Crossing Road, West Chicago
- 24) Cindy Hallett, 408 Sherman Street, West Chicago

- 25) John Appleton, Oxford Recovery Group, 1021 Acorn Hill Lane, West Chicago
- 27) Mike Rakow, 4N311 Norris Avenue, West Chicago
- 28) Greg Salzman, 437 Summit Avenue, West Chicago
- 29) Dr. Lainna Callentine, 1005 Knollwood Lane West Chicago
- 30) Tori Libby, with Teen Decision, 950 Rosewood Drive, West Chicago
- 31) Dr. James Libby, 950 Rosewood Drive, West Chicago
- 32) Cody Snouffer, with Chicago Eagles, 1224 S. King's Cross, West Chicago
- 33) Juan Valencia, with Chicago Eagles, 1208 King's Circle, Apt 21, West Chicago
- 34) Fr. Steve Williamson, 366 Arbor Avenue, West Chicago
- 35) Don Jones, 1030 Ridgewood Drive, West Chicago
- 36) John F. Banas, 2987 Andrus Drive, West Chicago
- 37) Randy Tuuric, 930 Rosewood, West Chicago
- 38) Angela Franklin, 28W530 Hawthorne Lane, West Chicago
- 39) Kari Fortelka, 556 Ingaltan Avenue, West Chicago
- 40) Eldra Rakow, 486 Church Street, (did not speak, but her sign up card indicated she was in favor of the Ordinance)
- 41) Keith Draper, with World Relief, 441 E. Washington, West Chicago
- 42) Dawn Hartsell, 854 E. Washington Street
- 43) Nathan Parkman, 1420 Prairie Crossing Drive, West Chicago
- 44) James Bell, Forest Trails Development, West Chicago (did not speak, but his sign up card indicated he was in favor of the Ordinance)
- 45) Sarah Gieser, 1N457 Indian Knoll Road, West Chicago (spoke for Janette Liebling)
- 46) Janette Liebling, 681 Nor Oak Court, West Chicago (did not speak, but her sign up card indicated she was in favor of the Ordinance)
- 47) Melissa Lewis, 930 Hampton Course Drive, West Chicago (did not speak, but her sign up card indicated she was in favor of the Ordinance)
- 48) Dale A. Nichols, 603 E. National Street, West Chicago (did not speak, but his sign up card indicated he was in favor of the Ordinance)
- 49) Hannah Young, student at Wheaton Academy, 750 Hickory Lane, West Chicago
- 50) Dan Bovey, with New Life Bilingual Church, 143 Conde Street, West Chicago
- 51) Tim Onufrock, (no address given) grew up in West Chicago and owns a business here
- 52) Kim Onufrock, was here on behalf of Wheaton Academy, Wayne, Illinois
- 53) Angelica Perry, with LTM Heroin Awareness/Wheaton Academy, 1379 Snowberry Lane, West Chicago

The following people were not in favor of the ordinance:

- 15) Matthew Wdowiarz, 0N515 Morningside Avenue, West Chicago
- 26) Philip Balgeman, 1225 Thomas Drive, West Chicago

**6. City Council Meeting Minutes – October 21, 2019.** Alderman Chassee made a motion, seconded by Alderman Hallett, to approve the minutes of October 21, 2019, with no changes. Voting Aye: Alderman Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Garling, Short, Stout, and Ligino-Kubinski. Voting Nay: 0. Aldermen Birch-Ferguson and Swiatek abstained. Motion carried.

**7. Corporate Disbursement Report.** Alderman Dimas made a motion, seconded by Alderman Beifuss, to approve the November 4, 2019, Corporate Disbursement Report in the amount of \$708,998.24. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

**8. Consent Agenda – Consideration of an Omnibus Vote.**

\* **Public Affairs Committee:** Alderman Chassee read and explained the following item:

**A. Ordinance 19-O-0033** – An Ordinance Amending the Code of Ordinances of the City of West Chicago, Illinois, Specifically, Section 9, Article XV – Licensing of Residential Rental Properties, and Appendix G – Fee Schedule

Alderman Chassee made a motion, seconded by Alderman Brown, to adopt the above item. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

**9. Reports by Committees.** None

**10. Unfinished Business.** None

**11. New Business.**

**A. Resolution 19-R-0057** – A Resolution Authorizing the Mayor to Execute a Memorandum of Understanding with DuPage Public Safety Communications (DU-COMM) for the Installation and Maintenance of Communications Equipment on West Chicago's Water Towers

Alderman Dimas made a motion, seconded by Alderman Garling, to approve the above item. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, and Ligino-Kubinski. Voting Nay: 0. Motion carried. City Administrator Guttman said since he has been on their Board, he has been working on this so rather than handshakes and verbal agreements, this action memorializes the responsibilities of each party.

**B. Ordinance 19-O-0036** – An Ordinance of the City of West Chicago, DuPage County, Illinois, Adding Article XXVIV Prohibiting Adult Use Cannabis Business Establishments Other Than Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations, to Chapter 9 of the Code of Ordinance of the City of West Chicago

Alderman Dimas made a motion, seconded by Alderman Hallett, to adopt the above item. During discussion, Alderman Dimas said this issue caused a lot of discussion in the community. She brought this forward to address tonight so if it is not wanted, then people will not have to come to three meetings. She will vote yes. Alderman Hallett said quite often representatives are told to vote their ~~conscious~~, CONSCIENCE <sup>Scrivener Error</sup> but tonight was different in which everyone heard their conscience from the speakers. He will also vote to approve. He later said everyone on the Council has given this a great deal of thought whether for or against the ordinance. He said he was proud to serve with them.

Alderman Garling thanked everyone who came tonight and said the schools are opposed to use and he too is opposed to people using marijuana.

Alderman Beifuss thanked everyone who came out tonight, and said they love our City. They feel so strongly that West Chicago goes in a good direction. He has heard from a variety of people and the consistent message is that it would make people's jobs harder and to please not do that.

Alderman Ferguson said he remembers when the City had a bad reputation and has heard from the community to opt out of marijuana sales.

Alderman Chassee appreciated all who came here and spoke from the heart. She said the Council was not here to discuss the legalization of marijuana. That has already happened. Many of the things talked about tonight are out of the City's control. People need to speak to their State representatives. People fear the unknown and think of when marijuana was provided by a criminal element. She has spent 30 years in law enforcement concerning crimes against children. She gave a number of examples of various studies that show regulations and education can reduce use and abuse. She also spoke of the financial benefits. The City cannot keep increasing taxes. Marijuana tax money can be earmarked for resources. Marijuana will be here even if it is not bought here. We will still have to train our first responders. It will become an ongoing battle. St. Charles will have the same costs, but they will get money from marijuana sales. We will be sending our neighbors and money to other communities. Alderman Chassee said she knows this is not a popular decision, but she would like to see this go forward to the Plan Commission to see what regulations could be had.

Mayor Pineda said we would not be having this discussion except for the legislature in Springfield. It was forced on us. People should speak to their state representative. The Mayor said he grew up in West Chicago and would like to make this a better community to live in. He wants people to be proud of the fact that they live in West Chicago. He did not think the City needs marijuana dispensaries here. He did say the new developments in West Chicago will cost money and people do not want their property taxes to go up. But the increased revenues are not worth it to him as he wants a healthy West Chicago. He thanked all who sent him emails.

Alderman Brown thanked everyone who came out this evening. She agreed with Alderman Chassee. Marijuana will be here on January 1, 2020. She is the parent of two children. She will be teaching her children at home to make sure they have the tools and knowledge and will be responsible for their actions. People have to teach their children in the home.

Alderman Stout thanked everyone for coming out, and said their speeches make a difference in how the Council makes its decision. She said she had to echo Aldermen Chassee and Brown. She did not think marijuana is something we want our children to have. Whether it is sold here in West Chicago or not, it will be here. She said we need to regulate it and make it as safe as we can, and give the Police Department the resources to combat it. If the City opts out, it is losing resources.

Alderman Birch-Ferguson thanked everyone for coming out. She said she remains concerned and would like to have a continuing discussion with the people. She thinks the issue needs to be considered.

Voting Aye: Aldermen Beifuss, Ferguson, Hallett, Dimas, Swiatek, Garling, Short (who noted that she is voting with her neighbors and not her ~~conscious~~ CONSCIENCE <sup>Scrivener Error</sup>), and Ligino-Kubinski. Voting Nay: Aldermen Chassee, Brown, Sheahan, Birch-Ferguson, and Stout. Motion carried.

## **12. Correspondence and Announcements.**

### **Upcoming Meetings**

- |                     |   |
|---------------------|---|
| - November 5, 2019  | Plan Commission/Zoning Board of Appeals |
| - November 7, 2019  | Infrastructure Committee                |
| - November 11, 2019 | Development Committee                   |

The City Clerk announced that the Veterans Day Observance would be held at the American Legion Hall, 123 Main Street, West Chicago, starting at 10:30 am. The Mayor will be the keynote speaker. Everyone is invited to attend.

The City Clerk announced that Jean Sullivan, the first female Alderman in West Chicago, has passed away. A service will be held for her on November 10, 2019, 9:30 am, at St. Michael's Church.

The City Clerk announced that Shirley Siebert, the City Clerk of Wood Dale had also passed away. She was well known to City Attorney Bond.

**13. Mayor's Comments.** The Mayor thanked the Aldermen for thinking long and hard and making a real deep decision for what has passed. He was very proud to work with this City Council as they work well together and get things accomplished.

**14. Executive Session.** There was no executive session.

**15. Items to be Referred for Final Action from Executive Session.** Not applicable.

**16. Adjournment.** At 9:30 pm, Alderman Chassee made a motion, seconded by Alderman Stout, to adjourn. Motion was carried by voice vote.

Respectfully submitted,

Nancy M. Smith  
City Clerk