

MINUTES OF THE OTTAWA PLAN COMMISSION MEETING November 25, 2019
(REVISED)

Chairman Brent Barron called the meeting to order at 7:00 PM in the Ottawa City Council Chambers.

ROLL CALL - Present: McConville, Barron, Stone, Burns, Volker, Reagan, Sesto. Absent: Etscheid, Bueting. Others: City Planner Doug Carroll of Carroll Planning, LLC, City Attorney Christina Cantlin of Cantlin Law Firm.

MINUTES OF PREVIOUS MEETING: Deb Reagan suggested a correction should be made to read “The need for a Norris Drive/Columbus St. neighborhood plan was discussed”. Moved by Judy McConville and seconded by Deb Burns that the September 23, 2019 minutes be approved as amended.

OLD BUSINESS

NEW BUSINESS

1. Public Comment Rules

Chairman Barron noted the City Council adopted rules for their meetings to limit public speakers to five (5) minutes and the Plan Commission will follow the same rule. This rule does not include the petitioner and the Plan Commission can extend the time period if agreed upon.

2. Public hearing for a citywide text amendment of Chapter 118 (Zoning) of the Ottawa Municipal Code to provide for the regulation of adult use cannabis business establishments in certain zoning districts.

Chairman Barron opened the public hearing. Barron stated the discussion is not on the merits of legalization but on where or where not to allow cannabis businesses. Barron briefly went over the draft ordinance. Discussion ensued on definitions within the ordinance. Further discussion centered around the conditional use process. Barron asked about the 1500 foot distance requirements as it pertains to the existing medical cannabis facility and what affect it would have on any other facility locating in the area. Planner Carroll demonstrated the distance requirement on the map.

Wayne Eichelkraut, 802 McKinley Road, expressed he thought the Illinois Municipal League model ordinance was generally ok and perhaps there were some change to change. He is worried about smoking outside similar to people smoking cigarettes. Barron said we are generally basing our ordinance from the IML one but need to adjust to fit our city.

Dan Aussem, 1131 Post Street, expressed concern regarding a memo from City Attorney Keith Leigh and how that relates to the existing medical cannabis facility. Commission members discussed different municipality's ordinances. Aussem expressed he thought it would be beneficial to examine ordinances from cities with existing medical cannabis facilities.

Discussion ensued regarding St. Charles's ordinance.

Commission members discussed timelines and how to recommend a revised ordinance to the City Council by 1/1/2020. Aussem suggested just addressing the existing medical facility at this meeting and examining the remaining ordinance at a later meeting(s). Discussion ensued.

Moved by Barron to recommend that an existing medical marijuana facility that is granted an adult use cannabis dispensing licensing by the State of Illinois to operate as of 1/1/2020 is allowed as a permitted use. Seconded by McConville.

Ayes: McConville, Stone, Burns, Reagan, Sesto, Barron

Nays: Volker

Motion carried.

The Plan Commission discussed when the next meeting date would be and agreed the January meeting would be best. Stone talked about making sure the Plan Commission discusses specific points at the next meeting. Stone thought points of discussion should be distance requirements and zoning classifications. Members discussed Planner Carroll's staff report. From page 2 of Planner Carroll's report the Plan Commission discussed:

- (1) Barron asked why growers were excluded from the D zoning district.
- (2) The Plan Commission thought they addressed this with the motion.
- (3) The Plan Commission agreed further discussion was needed on hours of operation.
- (4) The Plan Commission discussed the number of businesses allowed by the State and the need for further discussion.
- (5) The Plan Commission agreed this needs more discussion.
- (6) Section 6.5 of the draft ordinance will be eliminated.

DISCUSSION

Chairman Barron discussed the RFQ for updated comprehensive plan. Volker discussed the benefits of economic analysis to make sure the Plan is feasible. Stone discussed expanding particular study on the whole Norris Dr. corridor from City limits to City limits. Burns discussed the riverfront re-design. Plan Commission members discussed Norris Drive and Columbus and the need for specific in-depth plans on that area. Burns mentioned the IL 71 corridor. Members discussed looking at the south side as well, particularly the South Towne Mall. Stone mentioned the land around the existing WalMart and the need for further analysis. Reagan thanked City Attorney Cantlin regarding her research on moratoriums for the area of IL 71 and I 80. Reagan asked Cantlin about the letter regarding the opinion on the public use restriction. Cantlin expressed her correspondence with City lobbyist Jeff Torcelli and that he explained there was not

a letter, it was just a communication. The communication stated there is a House Bill that was presented that would lift the public use requirement. It did not pass. Had it passed there would have been a requirement for a modification to the Illinois Constitution. Torcelli indicated to Cantlin that opinion was given to him by the general counsel of the Senate Democrat. The communication was via an email or phone conversation to the Mayor according to Torcelli. Torcelli indicated he could put something in writing if needed. Plan Commission members questioned why it would require that much effort and most thought it may be worth pursuing.

Barron explained the Plan Commission attendance policy. Reagan explained the Plan Commission by-laws say if one misses 4 consecutive meetings they can be removed. Citizen Paul Koenig said there has been no activity on Morris hospital getting land leases. He noted with the activity, it may be a good time for the com plan to address the area. He also noted his dislike for a 4-story building.

Voelker explained Inga Carus would be happy to explain the Jackson St. project.

Being no further business, motion was made by Burns to adjourn the meeting at 10:04 PM.

Respectfully submitted,
Douglas Carroll, AICP
Carroll Planning, LLC

Doug:

Please be advised I had the opportunity to review the attached minutes from the Plan Commission and Debbie Reagan's comments in the margins attached to these minutes. It is my understanding these minutes were not approved at the last Plan Commission meeting because of her request for corporation counsel to review them.

I did attend on behalf of the City the meeting referenced in the minutes on November 7, 2019. I then additionally attended the January and February meetings.

As a follow up to the Plan Commission meeting on November 7, 2019, I sent an email to the City's lobbyist, Jeff Torricelli, on the public use requirements for the Woodward Drive on November 14, 2020. Our lobbyist responded with the word "communicated" in his email. I have no further information or ability to clarify what our lobbyist meant by "communicated" or "communication." I was simply relaying the words he used in his email response. (DR3) I also cannot provide a clarification as to date or time when the lobbyist had this communication. (DR4) The only9 detail Jeff provided is the communication was done after there was a hold up with HB 3222.

Referencing comment DR5 our lobbyists email response contained the words "Senate Democrat". Again, I did not seek clarification of our lobbyists response. However, I would recommend removing the words general counsel as our lobbyists email only used the words Senate Democrat.

In comment DR6 we would need to ask our lobbyist or one of the Mayors if they recall this conversation. I was not a party to those conversations and again was only relaying the information contained in an email from our lobbyist which did not specific which Mayor.

Regarding DR7 I do recall having a discussion with Debbie Reagan immediately following the meeting in which I indicated to her I would be happy to follow up on this matter further, but would need permission from the Council and Mayor before pursuing this further

Comment DR8 is correct. Mr. Torrecelli did say in his email he could ask for a letter on this subject if that would be helpful. I have not asked our lobbyist to do that at this point as it is my understanding the City is working on a variety of options supported by a recent memorandum from Keith Leigh.

Sincerely,

Christina

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