

Minutes Of The Special Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, September 16, 2014 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Covington called this special meeting of the Board of Trustees to order at 6: 40 p.m.

Village Clerk Jones informed the Mayor and Board of Trustees that Trustee Williams had contacted her, that due to illness she would be unable to attend the meeting in person, and requested to attend the Board meeting electronically.

Mayor Covington asked if there were any objections to Trustee Williams attending the meeting electronically. There were no objections, so Clerk Jones connected Trustee Williams by phone.

B. ROLL CALL

Mayor:	Vivian E. Covington	Present
Trustees:	Elizabeth Williams	Present (Electronically)
	Oscar H. Brown, Jr.	Present
	Milton C. Payton	Present
	Keith J. Griffin	Present
	Joseph E. Roudez, III	Present
	Larry B. Brown	Present

Also present were Village Attorney Steward Diamond, Village Manager Lafayette Linear, Police Chief Edward Bradley, Community Relations Manager James Bell, Cable Studio Christel Allen, and Village Clerk Dorothy R. Jones.

C. PLEDGE OF ALLEGIANCE

Mayor Covington led the audience in the Pledge Of Allegiance to the Flag of the United States of America.

D. Discussion By Board Members Regarding Resolutions Of Approval

Trustee Larry Brown asked for clarity on the items on the agenda tonight compared to the same items that were on the agenda on September 9, 2014, and if “the contribution” differs from “community contributions”.

Village Attorney Diamond responded that the items on the agenda tonight are specific resolutions by title, company names, how each fund can be used, and that community contribution is in addition to the contribution as indicated in the agreement.

Mayor Covington commented that two of the companies have agreed to stipulate what programs, or who they will make their community contributions to.

Trustee Payton stated that he would object to a consent agenda. He Stated he felt that these agenda items were too important to be combined as one issue.

Trustee Oscar Brown referred to Item J on the agenda and asked if any new companies had asked for consideration.

Attorney Diamond responded that he had received no new request.

E. Motion To Place Some Or All Of The Agenda Items On A Consent Agenda To Be Decided By A Single Vote And The Identification Of Those Items

Due to noted objections, there was no action taken on the item.

F. If The Consent Agenda Motion Passes, Then Motion To Approve All Items On The Consent Agenda

There was no action taken on the item.

G. Resolution Providing Support for an Applicant for a Permit from the State to Operate Either a Cultivation Center or a Dispensary in the Village of University Park and Authorizing the Execution of a Host Agreement—The Medmen, Illinois LLC – Dispensary

Trustee Payton moved, Trustee Larry Brown seconded a motion to approve this resolution.

Attorney Diamond stated that if this resolution is approved by the Village Board then the forms relating to necessary zoning changes indicating that the Village will move quickly with the plan commission for modification of the zoning, which could be done within 4 to 5 weeks will need to be executed, because the location that the applicant has chosen is zoned industrial and not commercial.

Trustee Payton referred to page 8; section 6 of the host agreement and asked why that particular language was included in the document. He also asked if the 0.5% is a typo, and what is the projected gross revenue. He also referred to page 9 of the schedule, and Stated that the numbers 5+ is changed to reflect years 6-.

Attorney Diamond answered that the 0.5% was not a typo, and that the owner has projected \$2.5 million in gross revenue.

Mayor Covington stated that if this applicant is approved by the State, she would like to see more specific language in section 6 of this host agreement.

Attorney Diamond responded that it was to strengthen the position of the Village by using the language that shows that the Village would be willing to do something for the contributions that they are asking.

Ayes: Trustees Oscar Brown, Payton, Griffin, Roudez, Larry Brown, Williams (electronically) and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried

Resolution Number R 2014 – 16.

H. Resolution Providing Support for an Applicant for a Permit from the State to Operate Either a Cultivation Center or a Dispensary in the Village of University Park and Authorizing the Execution of a Host Agreement—Grand Prairie Farms, LLC – Dispensary and Cultivation Center

Trustee Payton moved, Trustee Larry Brown seconded a motion to approve this resolution.

Motion To Amend Main Motion:

Trustee Roudez moved, Trustee Griffin seconded a motion to strike the cultivation center from the resolution, thereby leaving action only on a dispensary.

Trustee Roudez stated that he did his homework, and he does not feel that this company has the ability to open and operate a cultivation center.

Mr. Jason Walsh, a representative of Grand Prairie Farms Stated that he wants to withdraw his application for a dispensary because of the limited time that is available for him to submit the necessary paperwork to the State, because this action by the Board has taken so long. He also stated that he does not understand what changed since his conversations with Trustee Roudez where he indicated his support, and now the decision of Trustee Roudez to remove their application for a cultivation center from the agenda, which they are prepared to proceed with, and that he feels it is unfair.

Mayor Covington commented that she does not see where it would cost the Village anything to issue support letters for all of the applicants that had submitted proper documents.

Trustee Payton commented that he feels that for the company to give a percentage of the net revenue would be minimal for the Village. He also stated that he feels this matter needs to be referred to the office of Attorney General Lisa Madigan for an investigation because he has heard that football tickets have been given to Trustee Roudez in exchange for support by another company.

Trustee Roudez stated that there is a day care center located within the area that would not meet State guidelines, and asked to know why Mr. Walsh would consider withdrawing his application for a dispensary.

Mr. Walsh stated that he already has an agreement to purchase the daycare center if he gets a State license for the cultivation center, and that in addition to a percentage of the net sales he had offered \$1 million in product to the Village.

Mayor Covington commented that there is a big difference between gross and net income and stated we would like a percentage of the gross revenue.

Trustee Payton renewed his concern with the appearance of support of some companies and not others, and that it appears to be some hanky-panky going on.

Mayor Covington also commented that this company did not come to the negotiation meeting.

Mr. Walsh also stated that they considered withdrawing the application for a dispensary and concentrating on the cultivation center because all the paperwork for the cultivation center is ready to go to the State, and that if the Village does not approve them for a cultivation center, and the State grants them license they can proceed and the Village would not receive any revenue.

Trustee Oscar Brown commented that he feels this is a good agreement with the no cap on the revenue, and that he also feels that Phoenix Farm should also be given a letter of support from the Village.

Ayes: Trustees Elizabeth Williams (electronically), Oscar Brown, Griffin, and Roudez.

Nays: Trustees Payton, Larry Brown, and Mayor Covington.

Absent: None.

Motion To Approve Amendment Carried.

Roll Call On Main Motion As Amended For A Dispensary Only:

Ayes: Trustees Oscar Brown, Payton, Griffin, Roudez, Williams (electronically),
and Mayor Covington
Nays: Trustee Larry Brown.
Absent: None.

Motion To Approve As Amended Carried Resolution Number R 2014 – 17.

I. Resolution Providing Support for an Applicant for a Permit from the State to Operate Either a Cultivation Center or a Dispensary in the Village of University Park and Authorizing the Execution of a Host Agreement—Phoenix Farms of Illinois LLC, for a Cultivation Center

Trustee Roudez moved, Trustee Oscar Brown, seconded a motion that the Board approves this resolution for a cultivation center.

Motion to Amend Main Motion:

Trustee Payton moved, Trustee Larry Brown seconded a motion to strike cultivation center wherever it appeared.

Attorney Diamond stated that this motion is out of order, because to strike cultivation center would render this item void. However, Mayor Covington allowed the motion to stand.

Ayes: Trustee Payton and Mayor Covington.
Nays: Trustees Larry Brown, Roudez, Griffin, Oscar Brown, and Williams (electronically).
Absent: None.

Motion Failed To Carry.

Trustee Larry Brown referred to the action taken with regards to Grand Prairie Farms, and asked how this Board could expect a business person to do something they said they could not do, and that it is to operate only a dispensary.

Trustee Payton renewed his objection to the action taken on Item H

Motion To Table:

Trustee Payton moved, Trustee Larry Brown seconded a motion to table this item.

Ayes: Trustee Payton, Trustee Larry Brown, and Mayor Covington.
Nays: Trustees Roudez, Griffin, Oscar Brown, and Williams (electronically)
Absent: None.

Motion To Table Failed To Carry.

Roll Call On Main Motion:

Ayes: Trustees Roudez, Griffin, Oscar Brown, and Williams (electronically).
Nays: Trustee Payton, Larry Brown, and Mayor Covington.
Absent: None.

Motion To Approve Carried

Resolution Number R 2014 – 18.

Call For Recess:

Trustee Roudez asked Mayor Covington to call a recess. To which she did not recognize.

Motion To Reconsider Action Taken On Item H:

Trustee Larry Brown moved, Trustee Payton seconded a motion to reconsider action taken on item H.

Attorney Diamond informed the maker of the motion that the motion was out of order, because a motion to reconsider had to be made by a member of the prevailing side.

Trustee Roudez moved, Trustee Payton seconded a motion to reconsider action taken on item H, and put back the cultivation center.

Ayes: Trustees Larry Brown, Roudez, Griffin, Payton, Oscar Brown, Williams (electronically) and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried.

Roll Call On A Motion To Reconsider And Re-vote Item H For Passage Of A Resolution For A Cultivation Center And Dispensary.

Ayes: Trustees Larry Brown, Roudez, Griffin, Payton, Oscar Brown, Williams (electronically) and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried

Resolution Number R 2014 – 17

J. Additional Resolution Or Resolutions Providing Support For An Applicant For A Permit From The State To Operate Either A Cultivation Center Or A Dispensary In The Village Of University Park And Authorizing The Execution Of A Host Agreement

Attorney Diamond stated that he had not received information from any other companies.

Dr. Danielle Kizaire-Sutton and Charles Sutton addressed the Board and voiced their displeasure that they were not contacted and notified this special meeting this evening, and that they found out it from our website. She also stated that she sent in the original information early on September 9 and that she spoke with Manager Linear who suggested that she might consider opening up some other type of business rather than a cultivation center which she felt was offensive. She asked the Board to consider giving all applicants the same opportunity to apply for State license and receive bonus points by having a letter of support for all them.

Village Manager Linear stated that they were not on the agendas because they were late getting their information in. However, he attempted to invite everyone out for a negotiation meeting to which Mayor Covington suggested that should be done with the Board.

A representative of Phoenix Farm thanked the Board for passing their legislation and stated that they would like to work with a community that could come together in unity to get things done.

Mr. Larry Huggins thinks that everyone should have an opportunity to receive the same type of letter of support, and that the Board unify in its decision-making.

F. GENERAL PUBLIC

Dr. Sutton addressed the Board and asked if they could get a letter of support and be given the opportunity to move forward with this project. She stated that the location they have chosen is in compliance with the zoning and is located at 2600 Bond Street. She also asked to know why they were not provided a host agreement.

Trustee Payton asked Attorney Diamond if the Board could pass a resolution for Prairie Medz with the same basic terms as with Grand Prairie Farms as it relates to a cultivation center.

Mrs. Linda Roudez addressed the Board and stated that she feels with the action taken tonight that the Village Board actually made no decision, because if they give letters of support to everybody Springfield would not know who the Village has preference.

Ms. Laverne Williams thanked those individuals who spoke up for unity, stating that she really does not understand what happened this evening. However, she would like an immediate contact with her so she can call a meeting of the plan commission if zoning change is needed to accommodate one or more of the applicants.

Mrs. Mildred Morgan apologized to the guest for the discord among the Board.

Motion To Amend Item J Adding A Resolution For Prairie Medz:

Trustee Payton moved, Trustee Larry Brown seconded a motion to *pass* a Resolution Providing Support For Prairie Medz For A Permit From The State To Operate A Cultivation Center In The Village Of University Park And Authorizing The Execution Of A Host Agreement

Ayes: Trustees Oscar Brown, Payton, Larry Brown, and Mayor Covington.
Nays: None.
Abstained: Trustees Roudez, Griffin, and Williams (electronically).
Absent: None.

Motion To Approve Carried

Resolution Number R 2014 – 19.

K. ADJOURNMENT

Mayor Payton moved, Trustee Roudez seconded a motion that the Board adjourns the special meeting of the Board of Trustee at 8:30 p.m.

Motion to Adjourn Carried By Unanimous Voice Vote

Respectfully Submitted,

*Dorothy R. Jones, MMC, RMC
Village Clerk*