

CITY OF OLNEY
RECONVENED CITY COUNCIL MEETING
AUGUST 27, 2014

AGENDA #1 “CALL TO ORDER” The August 27, 2014 reconvened meeting of the Olney City Council was called to order at 4:00 p.m. in the Council Chambers of the Olney City Hall located at 300 S. Whittle Avenue, Olney, Illinois, with Mayor Ray Vaughn presiding. The meeting was a continuation of the Monday, August 25, 2014 Regular City Council Meeting.

Council members and visitors joined in the pledge of allegiance to the flag. John Monroe led the group in a prayer.

AGENDA #2 “ROLL CALL” The following Council members were present: John McLaughlin, Barb Thomas, Bob Ferguson and Ray Vaughn. Brad Brown was absent. Also present were City Manager/City Attorney Larry Taylor, City Clerk Kelsie Sterchi and City Treasurer Chuck Sanders.

AGENDA #3 “ORDINANCE: AUTHORIZING EXECUTION OF DEVELOPMENT AGREEMENT WITH DELTA 9 GLOBAL OR RELATED PARTY AND EXECUTION OF WARRANTY DEED FOR 17.36 ACRES ON SHIPLEY ROAD” Mayor Vaughn informed the audience of the rules for discussion. In order to speak before the Council, an individual was to be recognized by the Chair. No screaming or calling out would be allowed. Discussion would be limited to a reasonable time.

The Mayor then wanted to give a description of what the agreement entailed. As of January 1, 2014, the General Assembly had passed a bill authorizing medical marijuana to be allowed in the state. According to Senator Haine in the Metro East, the bill was the strongest bill out of 29 states that had approved medical marijuana. The bill allowed limited cultivation and limited dispensing only for specific diseases and illnesses. The bill did not allow recreational use, private growing of marijuana, or possession of marijuana.

The City of Olney was approached by an entity who wished to develop a growing facility in Illinois Police District 12, of which Olney belonged. If chosen, Olney would be one of 20 facilities allowed by Illinois Statute. The City of Olney was not the only location in the District to be courted for placement of such a facility.

The general description of the facility would include an 80,000 square foot growing center and a 25,000 square foot processing center. The facility would initially employ 40 individuals with the potential of 60 employees in the second year. Applications for the facility would be due quickly, which is why the Council wanted to move on an accelerated basis.

Should the development agreement be approved at the meeting, the Council would be granting the use of 17.36 acres on Shipley Road. The agreement would also authorize the

company to construct their facility. The development agreement would only materialize if the company was one of the chosen 20 licensees. The location would only be for cultivating and processing medical marijuana. No marijuana would be sold or dispensed.

City Manager Taylor clarified that the development agreement provided for the conveyance of the 17.36 acres if the developer presented satisfactory evidence that they had the available financing and required State licenses and permits to construct such a facility. There would be a \$173,600 mortgage and note that would be secured by the property. If the company did not comply with certain terms and conditions, then the note would be due payable, or they would be required to pay back the mortgage on a monthly basis for the all months that the employment levels were not satisfied.

The company would need to pay a \$25,000 application fee to the State. The City of Olney would not be contributing to the amount. The application is very detailed, and would total about 900 pages. If the application was approved, the company would also need to provide to the State a \$200,000 license fee. The City of Olney would also not be contributing to that fee. The property could not be any closer than 2,500 feet to a daycare, school or residentially zoned area. The growing of the medical marijuana would be done entirely indoors with 24 hour surveillance.

Mayor Vaughn had heard that in District 12, Clay and possibly Clark and Clinton Counties were also applying. The Illinois Department of Agriculture would be responsible for choosing from the applicants.

City Manager Taylor went on to explain that the City would need to extend a 12 inch water main to property near the WalMart Distribution Center. Other than the water main, there would be no other City obligations.

Brian O'Neill, 818 E. Main Street, wished to address the Council. Mr. O'Neill wanted to know how much money would be invested. He also wanted to know to what scale the employees would be paid, and how much money the State expected to make from the facility.

Mr. O'Neill had read online about how much each strain of marijuana was selling per ounce. Medicare and Medicaid would not pay for medical marijuana. Marijuana could only be purchased through SSI, which is taxpayer money. Mr. O'Neill felt that such a policy went against the principle of getting people off of the system.

To answer Mr. O'Neill, Mayor Vaughn replied that the company would be building a large facility and also needing equipment. Several million dollars would be invested in the community. Regulations from the State were very onerous. Potential employees would need to comply with a high level of background checks, among other requirements. With this in mind, the Mayor did not feel that minimum wage would be an option, although an actual wage was unknown at the time.

Marie Riggs requested to speak before the Council. Mrs. Riggs felt that many people had a difficult time separating the idea of medical marijuana from recreational marijuana. There seemed to be fear that marijuana would make its way into the community, but marijuana was already present.

Mrs. Riggs had decided to do some research to see what caused marijuana to be discouraged. In 1619, marijuana was grown for hemp that was used for military parachutes. During the 1920s, during the Depression, an influx of immigrants from Mexico filtered into America. The Mexicans brought marijuana with them. Times were hard, and people did not know who to blame, so they blamed the marijuana and the Mexicans.

During World War II, the government was running low on military supplies and needed the hemp. Government then registered farmers to start growing the plant. Then came the 1960s and its counter-culture. People became stoners, and it appeared that the marijuana was a gateway into other drugs. However, studies showed that the dependency rate for cannabis was much lower than other substances. Marijuana showed an 8-10% dependency rate. Alcohol showed a 15% dependency rate. Cocaine a 17% dependency rate. Opiates a 23% dependency rate. Nicotene a 32% dependency rate.

Mrs. Riggs had also looked into what types of issues marijuana could help with. Some examples included Fibromyalgia, migraine, fatigue and insomnia. Many over-the-counter and prescription drugs had horrible side effects. With marijuana, if smoked, there is a possibility of developing lung cancer. Memory could also be affected in the same way that alcohol could affect memory.

The United States had the highest prison rate. Many inmates were there in relation to marijuana. The United States had spent about four billion dollars for the arrest, prosecution and incarceration of cannabis offenders. Mrs. Riggs felt that the money could have been put to much better use.

Countries such as the Netherlands had legalized marijuana. The legalization did not increase the cannabis consumption rates. Mrs. Riggs felt that morality should not be legislated. Those who were against marijuana for the sake of moral issues should realize that morality is a choice.

Mayor Vaughn reiterated that the law had been designed only to allow marijuana for medical use. Illinois had ruled that there would be 33 approved diseases or illnesses that the medical marijuana could be used for. Representative Hoffman was convinced in his supportive vote that the Illinois law was stronger than the laws in most other states. The bill also allowed another helpful option for those who had the debilitating diseases or illnesses.

Carol Sanderson explained that she had a 22 year old daughter with Cerebral Palsy and Autistic tendencies. For this reason, Ms. Sanderson had been researching different treatment

options from stem cell therapy to cannabis oil, as ways to help her daughter. In her research, Ms. Sanderson learned that cannabis was used for centuries as a natural form of medicine put on Earth by God. Humans decided to alter the cannabis to be dominant in THC as a way to get high. Medical marijuana facilities were growing different strains of all cannabinoids. For example, the main cannabinoid for those with seizures was CBD.

Some families had children that experienced hundreds of seizures per day. These children had been on detrimental pharmaceuticals that reaped horrible side effects. Some families had moved to other states with legalized medical marijuana in order to help their children.

Most who used medical marijuana take it in an oil or edible form. Medical marijuana was able to be used in different combinations of cannabinoids tailored for different ailments. Ms. Sanderson was not sure if medical marijuana could help her daughter, but she would be willing to try. Her daughter's current and past medications had produced many side effects.

Ms. Sanderson also felt that growing facilities were a reality whether people liked it or not. Growing facilities would be coming to Illinois. Passing up jobs in this economy would not be a great idea. Ms. Sanderson told the audience that Olney could either choose to reap the benefits or let someplace else prosper.

Shawn Tate wondered what taxes the City would receive from the facility. Mayor Vaughn replied that the City would receive property taxes from improvements to the property.

Mr. Tate had several family members die of cancer. His father-in-law stopped taking chemotherapy because the treatment made him violently nauseated. The man was 99 pounds when he passed, as he refused to eat in hopes that he would not get sick. Mr. Tate wondered if medical marijuana could have helped with his father-in-law's comfort level during his last days.

The plant would facilitate jobs for the City and therefore improve the quality of life for the people working at the facility. Mr. Tate also suggesting having physical security at the location. Mayor Vaughn replied that with the application, the applicant would need to submit a comprehensive security plan that would need to be approved by the Illinois State Police. The application would be reviewed on a points system. Protection and security would be a large percentage of total points awarded.

Stan Wieber spoke against the project, asking the Council to take a pass at the opportunity. Mr. Wieber had worked for 12 years in the development of businesses in the community, and understood the desire to bring in jobs. Mr. Wieber also wanted to acknowledge that the Council's heart and positive motive for the community should not be in question.

Mr. Wieber did, however, want the Council to dig deeper to see what impact such a facility would give for the future. Mr. Wieber had researched online for "Delta 9 Global." Mr.

Wieber found Delta 9 Labs online. Delta 9 Labs was based out of Amsterdam, and were in the business of exporting marijuana seeds all over the world. Their YouTube video talked about how their marijuana product could help you achieve different levels of a high. Only in passing did the video speak of the benefits of medical marijuana.

Mr. Wieber also found that on October 9, 2002, the Department of Drug Enforcement was approached by investors from a coalition to reschedule cannabis. The coalition wanted the Department to change the cannabis labeling from Schedule 1 so it could be used for medical purposes. The government then had the FDA examine the product to evaluate the true benefits. The Department of Health and Human Services concluded that marijuana had a high potential for abuse and had no accepted medical use in the United States. Taking these facts into consideration, the petition was turned down.

It was Mr. Wieber's opinion that everyone was being "schnuckered" by the term "medical use." He felt that term was deceitful. Mr. Wieber did not want Illinois to make the same mistakes that California had made in opening the door to marijuana.

In Mr. Wieber's internet research, he also found that the term "Delta 9" had connections to a man named Dave Rogers who was a disc jockey and producer of hardcore pornography. Mr. Wieber asked if the City had found out who the true people were behind the project. Either way, Mr. Wieber felt that the City should not be associated with such a business. He would rather the City become involved in a project similar to what the prison did for Lawrence County. The prison had been a blessing to the area, in respect to jobs.

If people wanted a medical marijuana facility in the area, Mr. Wieber encouraged to support other towns such as Flora or Robinson for such a project, but the nature of the facility indicated that Richland County should pass. Mr. Wieber ended by saying that he would pray that the Lord would give the Council wisdom on the matter. He quoted the Bible by saying, "Unless the Lord builds a house, they labor in vain."

Mayor Vaughn stated his appreciation for Mr. Wieber's previous work as an economic leader for several years in the community. Mr. Wieber was instrumental in RCDC for a number of years.

In regard to abilities and backgrounds of those involved with the company, Mayor Vaughn indicated that anyone associated with Delta 9 Global would go through the utmost scrutiny by the State of Illinois. Everything about these individuals would be scrutinized by the Illinois State Police, the Illinois Department of Agriculture and the other licensing facilities.

Beverly McDowell was next to speak. Mrs. McDowell began by stating than an ounce of marijuana could be sold anywhere between \$250-\$300. She next quoted the book of Genesis with, "And the serpent said unto the woman, 'You shall not surely die for God doth know that in the day ye eat thereof, then your eyes shall be opened, and ye shall be as gods...'"

Mrs. McDowell held the opinion that medical marijuana was trying to be passed as something wonderful. She explained that she spent much time studying and felt that the positive idea of marijuana was the goal of the Socialist Marxists. Mayor Vaughn interjected stating that Mrs. McDowell had discussed such a topic in a previous meeting, and requested that Mrs. McDowell keep her discussions to the topic of medical marijuana at the proposed facility.

Mrs. McDowell again referenced the Socialist Marxists, and felt that George Soros was behind funding. Mayor Vaughn reminded Mrs. McDowell that George Soros' name was not on the application, and that he had nothing to do with the process. The Mayor asked Mrs. McDowell to move on to her next point.

Mrs. McDowell began to state that President Obama was supporting the new acceptance of LSD and Ecstasy. Mayor Vaughn again made Mrs. McDowell aware that her topic was irrelevant to the discussion.

Randy Fehrenbacher agreed with what Mr. Wieber had stated. There was sound evidence that smoking marijuana was harmful. Also, no animal or human data existed to support the medical use of marijuana.

Mr. Fehrenbacher also felt that the issue at hand was one of morality. He feared that acceptance of something like the medical marijuana facility could lead into other moral issues. Simply because a law allowed something did not mean it was morally ethical. For example, the law had allowed killing of unborn babies. Mr. Fehrenbacher encourage the Council not to follow after a law that may not be good simply because there was money behind it.

Mr. Fehrenbacher felt that the citizens needed to have a vote on the topic. Carolyn Carpenter agreed.

Phyllis Fehrenbacher mentioned that she had called close to 100 people by phone to see if they would be available to attend the meeting. During her conversations, she claimed that only one person out of the 100 said they would be in support of the facility. Mrs. Fehrenbacher urged the Council to consider the people of Olney. While jobs were desired, Mrs. Fehrenbacher wanted honorable jobs.

Mrs. Riggs again spoke and told a story about a friend of hers. Her friend was a professor at a university in Missouri. The professor had suffered debilitating migraines for his entire life. Prescriptions had been given that were of no help. The professor's brother-in-law had been prescribed medical marijuana in a liquid form, and encouraged the professor to try the medical marijuana. The marijuana helped with his migraines.

The professor now travels across states to acquire his medical marijuana.

Mary Spillman had read in the Chicago Tribune about a child who suffered from many seizures. The child's parent moved from Chicago to Colorado because medical marijuana had helped so much with the frequency of the seizures.

Mrs. Spillman was an advocate against drug abuse and wondered where the crowd was when she started an organization to fight drugs. Any kind of drug could be abused. Mrs. Spillman also felt that drugs were readily available in the community, if one was inclined to seek them. Mrs. Spillman knew for a fact that a very popular person in the community grew and sold marijuana from his property. Mrs. Spillman did not name the individual, but stated that "everyone would be shocked." Taking all into consideration, Mrs. Spillman did not believe that the facility in question would make the drug situation in Olney any worse.

Another member of the audience wondered how the facility would be contained. Mayor Vaughn replied that the facility would be enclosed, much like a greenhouse.

The individual was also concerned about security. Mayor Vaughn reiterated that a security plan would need to be submitted with the application, and that the plan would also need to be approved by the Illinois State Police. Councilman Ferguson was also under the impression that cameras would be installed to where the State Police could turn them on at any time as surveillance.

Marvin Carpenter wanted to know if "we" would only be hiring citizens of Olney. Mayor Vaughn indicated that the company would be hiring its own employees, and that the City would have nothing to do with the hiring process.

Patricia Zwilling mentioned past trouble with doctors in the town with regard to ethics. Ms. Zwilling was also concerned with the possibility of people faking illnesses in order to be prescribed drugs. Ms. Zwilling wanted the Council to consider what had been said by the people, and hoped that the Council could live with whatever decision was made.

Josh Tate wanted to see the City blossom, whether or not the facility came to town.

Mayor Vaughn echoed his desire to see the City prosper. The Mayor had learned an extreme amount about the medical marijuana issue in his recent research. He encouraged everyone to educate themselves on the pros and cons of the matter.

Going back to Mr. Fehrenbacher's comment about marijuana as a Schedule 1 narcotic, Mayor Vaughn explained that because marijuana was classified as a Schedule 1, no medical testing was allowed so there were, in fact, no study results available.

Nathaniel Trowbridge reminded the Council that their authority was from God, according to the Bible. With this in mind, Mr. Trowbridge wanted the Council to be mindful that each person would be required to give an account to God regarding decisions he or she had

made.

Josh Rusk wanted to note that it seemed much information had been found from the internet. It was Mr. Rusk's opinion that one could find any kind of evidence on the internet, to support or to oppose. While Mr. Rusk was not necessarily for or against the facility, he was aware that many other drugs gave worse side effects than marijuana.

Mr. O'Neill made the audience aware that even if Richland County was not going to house such a facility, other places in the state would. Mr. O'Neill wanted to clarify that because these facilities were coming to Illinois anyway, the Council was simply trying to reap what benefit such a facility could bring.

Ms. Sanderson also wanted to clarify that in the medical aspect, the marijuana would not be smoked. The marijuana would come in edible, oil or topical forms. Ms. Sanderson also really wanted the audience to understand that there was a difference in the kinds of marijuana used for highs and the kinds of marijuana used for medical benefit.

Michael McKinney felt that those in attendance were not the ideal cross-section of opinions in Richland County. Mr. McKinney encouraged the audience to trust that the Council they voted into office had done their homework.

Reverend Chris Jennette made the Council aware that they were prayed for every Wednesday evening. The Reverend wanted to encourage the Council, as leaders, to use God-given wisdom to bring things to Olney that would be reputable. Instead of vying for an industry that was "shady," he encouraged the Council to try to bring other companies to town such as John Deere. Reverend Jennette felt that if the decision would be too difficult for them to make, then it should be given to the people for a vote. There were audible amens from the audience.

Mr. Wieber again warned against opening a door that could lead to something the town would not want.

The Mayor thanked everyone for coming to the meeting, and asked the Council for their thoughts. Councilman McLaughlin mentioned that a few years ago, he would have definitely been against such a proposal. However, in the past month or so, he had done much research and learned quite a bit. The Councilman encouraged those present to read an article that he had read called, "I'm a Christian. I'm Conservative. I'm an ER Doctor. Why I Now Believe in Medical Marijuana."

The Councilman mentioned his children, and how the only reason he wanted to be a part of the Council was in an effort to make the town better for his children. In talking to numerous members of the community about the topic, he found that many were in support and many were not.

The Councilman was aware that he was not put on the Council to make easy decisions. He desired to work in a way that he felt was best for the community. With that being said, Councilman McLaughlin made the audience aware that he was in support of the facility. He also mentioned that he would be happy to speak with anyone about his opinions after the meeting.

Councilman McLaughlin also made the audience aware that the reconvened meeting was scheduled with the community in mind. The topic was on the agenda and to be voted on at the August 25, 2014 meeting. The Council wanted to give the public a better opportunity to voice their opinions.

Councilman Ferguson echoed Councilman McLaughlin's thoughts in seeing more good than bad coming from the potential opportunity.

Councilman McLaughlin moved to approve Ordinance 2014-27, seconded by Councilwoman Thomas. Councilmen McLaughlin, Ferguson, Councilwoman Thomas and Mayor Vaughn voted yes. There were no opposing votes. The motion carried.

AGENDA #4 "ADJOURN" Councilman McLaughlin moved to adjourn, seconded by Mayor Vaughn. A majority affirmative voice vote was received. The reconvened meeting of City Council adjourned at 5:13 p.m.

Kelsie J. Sterchi
City Clerk