

MINUTES
Meeting of the Committee of the Whole
September 3, 2019 - 6:45 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

Members Present: M. Glotz, President Pro-Tem
C. Berg, Village Trustee
W. Brady, Village Trustee
W. Brennan, Village Trustee
D. Galante, Village Trustee
M. Mueller, Village Trustee

Members Absent: None

Other Board Members Present: J. Vandenberg, President
K. Thirion, Village Clerk

Staff Present: D. Niemeyer, Village Manager
F. Reeder, Fire Chief
M. Walsh, Police Chief
S. Tencza, Patrol Commander - Arrived at 6:56 p.m.
B. Bettenhausen, Village Treasurer
P. Connelly, Village Attorney
D. Maiolo, Human Resources Director
K. Workowski, Public Works Director
K. Clarke, Community Development Director
D. Framke, Marketing Director
H. Lipman, Management Analyst
D. Sanfilippo, Executive Assistant to the Mayor
L. Godette, Deputy Village Clerk
L. Carollo, Commission/Committee Secretary

Item #1 - The meeting of the Committee of the Whole was called to order at 6:48 p.m.

Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON AUGUST 6, 2019 – Motion was made by President Pro-Tem Glotz, seconded by Trustee Galante, to approve the minutes of the Committee of the Whole meeting held on August 6, 2019. Vote by voice call. President Pro-Tem Glotz declared the motion carried.

Item #3 – DISCUSS CANNABIS LAWS - D. Niemeyer stated the Cannabis Regulation and Tax Act was passed in May, which will legalize marijuana in the state beginning January 1, 2020. The goal is to have discussions with the Village Board regarding this new law as several informed decisions will need to be made. Topics for this evening's discussion included:

- Opt out of the law and prohibit cannabis dispensing businesses.
- If the Village does not opt out, what zoning regulations will be enacted to limit the commercial production or distribution of adult-use cannabis? The Village can also regulate the time, place, manner and number of cannabis business operations, including minimum distances between locations through conditional use permits.

- Allow on premise use of cannabis? If yes, where?
- What type of inspection process for these businesses and what civil penalties will be established for businesses violating the Village's regulations?
- Impose a sales tax on cannabis and adult-use cannabis related products, with the maximum being 3% of the purchase price?
- The Village will review and potentially update personnel policies related to this new law. A separate discussion will follow with suggested updates to the personnel manual provided to the Village Board.

A presentation was given by P. Connelly, Village Attorney of the Cannabis Regulation and Tax Act entailing the following:

- Regulation of Adult-Use Cannabis Businesses as Allowed by the Illinois General Assembly's Recreational Marijuana Bill;
- Illinois State Licensing;
- Zoning/Regulatory Abilities of the Village;
- Law Enforcement Facts & Implications;
- Tax Revenue.

Mr. Connelly asked the Committee of the Whole if there were any questions. In response to President Vandenberg's question, Mr. Connelly stated there is no correlation to the Liquor Commissioner's Office and the Act, as cannabis will be state licensed and liquor and video gaming are licensed locally. The Village has received calls regarding the Village's position on the Act from medical dispensaries currently operating and interested in expanding. Mr. Connelly discussed taxation and forthcoming trailer bill(s) from the state to clarify ambiguous information. The opt-out process was also explained to the Committee. In response to Trustee Berg's question, it is uncertain at this time how revenue will flow as currently medical cannabis is a cash only business.

Trustee Brennan asked about enforcement. S. Tencza, Patrol Commander stated there will still be zero-tolerance enforced with cannabis in relation to driving under the influence. Mr. Tencza explained how the process of a DUI will change, i.e. more time for police to process and more costs may be involved, as well as additional tests to aid the police in testing for impairment. Cannabis will be measured in nanograms within an individual and a standard impairment level has already been identified. The burden will be on police to prove impairment in an individual when stopped for an infraction. Police will continue to monitor and undergo additional training in this new practice.

K. Clarke, Community Development Director stated currently medical dispensaries are classified as a Special Use in the M-1 District. Discussion continued on surrounding communities' position, tax revenue, zoning and the black market on cannabis to continue. President Pro-Tem Glotz stated the Committee needs more information; however, if the Village Boards decides to allow cannabis, a cap should be in place with no deviation from the cap and he would prefer dispensaries be placed in industrial locations. Trustee Mueller stated he agrees with a small cap and is against cannabis lounges. Trustee Brennan stated he is also opposed to cannabis lounges and agrees with placing dispensaries within industrial locations. Trustee Brady also opposes cannabis lounges and agrees to a cap to be placed. President Vandenberg stated if the Village Board decided to move forward, he believes these would be the right ideas and a good direction for consideration. M. Walsh, Police Chief stated a cannabis dispensary currently operating in Worth on Harlem Avenue has not had any problems. Mr. Tencza recommended the placement of cannabis dispensaries in highly visible locations as they can be more effectively observed and monitored as these types of businesses are targets for burglaries.

Item #4 – RECEIVE COMMENTS FROM THE PUBLIC - Nancy O'Connor asked Mr. Connelly if the bill includes a cap on THC percentage for recreational use, for which he was uncertain at this time. Ms. O'Connor stated she is in favor of allowing cannabis dispensaries to operate within the Village provided there is a cap on the dispensaries, they are in highly visible locations and security within the dispensaries.

ADJOURNMENT

Motion was made by Trustee Berg, seconded by Trustee Brady, to adjourn this meeting of the Committee of the Whole. Vote by voice call. President Pro-Tem Glotz declared the motion carried and adjourned the meeting at 7:38 p.m.

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