

MINUTES
Meeting of the Committee of the Whole
November 12, 2019 – 8:00 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

Members Present: J. Vandenberg, Village President
C. Berg, Village Trustee
W. Brady, Village Trustee
W. Brennan, Village Trustee
D. Galante, Village Trustee
M. Glotz, Village Trustee
M. Mueller, Village Trustee

Members Absent: K. Thirion, Village Clerk

Staff Present: D. Niemeyer, Village Manager
P. Carr, Assistant Village Manager
B. Bettenhausen, Village Treasurer
F. Reeder, Fire Chief
M. Walsh, Police Chief
K. Clarke, Community Development Director
J. Urbanski, Assistant Public Works Director
D. Framke, Marketing Director
P. Connelly, Village Attorney- Arrived 8:56 p.m.

Others Present:

Item #1 - The meeting of the Committee of the Whole was called to order at 8:49 p.m.

Item #2 – RECEIVE PRESENTATION ON NEW CANNABIS LAWS – David Niemeyer presented an overview pertaining to the new cannabis law, Public Act 101-0027 Cannabis Regulation and Tax Act (CRTA) including general legal provisions, revenue and what action other communities have taken. This new law will take effect on January 1, 2020.

Kimberly Clarke showed examples of what different cannabis facilities can look like. The zoning districts and zoning process were presented as well as the text amendment approval process should the Zoning Ordinance need to be amended.

Matt Walsh, Police Chief, presented the possible impact on public safety. Topics included civil or criminal penalties; having minor cannabis offenses expunged; investigations; standards of public behavior; and field sobriety tests.

Mr. Niemeyer presented the next steps for the Village regarding this law. A community-wide survey will be open from November 13, 2019 to November 24, 2019 on the Village website. Results will be shared at the December 3, 2019, Committee of the Whole meeting. The Village Board will be making a decision to opt out or permit on December 17, 2019 at the Village Board meeting.

Trustee Mueller asked for clarification on how many cases involving Tinley Park residents would be expunged. Chief Walsh will work on getting a number.

President Vandenberg expressed his concern regarding the safety of law enforcement and asked if there is a timeline for the mechanical aspect of the sobriety test. Trustee Brennen noted this topic was discussed at the last Public Safety Committee meeting. Commander Stan Tencza reported that currently the only way is through blood analysis, which is a long process. Trustee Mueller asked if there was any training provided by the state. Chief Walsh noted that this is not new, as they currently stop people that may have been smoking marijuana, the difference is now they would have to establish probable cause.

Trustee Mueller asked Patrick Connelly, Village Attorney, about prohibiting in unincorporated areas. Mr. Connelly responded that he will look into what the counties have decided.

Ms. Clarke mentioned concerns about the is the possibility of odors leaking from a dispensary into adjacent businesses in strip centers.

Item #3 – RECEIVE COMMENTS FROM THE PUBLIC – A citizen stated concerns of how people who do not use social media or have access to the internet will be able to take the survey. Donna Framke, Marketing Director, referred back to the Citizens Survey, where the newspaper ranked fairly high as to how residents are getting information from the Village. The newspapers are partnering with the village to get the word out.

A citizen wanted to express his concerns and urged the Village Board to prohibit the sale of cannabis in the Village.

A citizen presented statistics regarding the dangers of cannabis and spoke to taxable revenue from the sale. He urged the Village Board to permit the sale of cannabis in the Village and felt determining whether it should be permitted or special use was a more important debate.

A citizen stated that a report was made with the National Response Center regarding the Tinley Park Mental Health Center. She also spoke to the Federal Environmental Protection Agency (EPA), Illinois EPA, and the Metropolitan Water Reclamation District (MWRD). She strongly encouraged the board to contact these agencies as she feels that it would be a stronger message coming from the Village along with the residents. She is also a feels the sale of cannabis should not be prohibited in the Village.

A citizen asked about two inquires for dispensaries that were made. He also wanted to know if retail outlets would be allowed to sell drug paraphernalia and urged everyone to be educated on what items the dispensaries will be selling. He noted that he has seen statistics that are contradictory to the statistics mentioned early in the public comment. He asked if the date to make a decision moved forward and thought the Village may have already opted in. Mr. Connelly clarified that the Village is not opted in. The Village would have to affirmatively opt out prior to January 1, 2020. If the Village does not opt out prior to the January 1, 2020 deadline, the sale of cannabis cannot be prohibited.

Trustee Glotz confirmed with Brad Bettenhausen, Finance Director, regarding the maximum allowed tax revenue the Village would be allowed to receive was 4.75%. Mr. Bettenhausen explained that it is 3% from the cannabis and 1.75% from the State sales tax.

A citizen stated she is a strong proponent for a retail recreational dispensary in Tinley Park. She feels that the Village would be missing a good opportunity for extra revenue.

A citizen wanted to know if the survey would limited to one response per resident. Ms. Framke stated Survey Monkey was being used and she believes that it has some limitations on IP addresses.

A citizen is opposed as Tinley Park is a family community and should not expose its citizens. She is concerned about more traffic and more problems. She read a lot of conflicting stories regarding Colorado.

A citizen who is a strong supporter, noted that the industry is strongly regulated and urged the Board to opt in.

A citizen suggested looking at HB 1438 that may answer a lot of questions. He urged everyone to be educated on the topic to be responsible.

Trustee Glotz asked if there was anyone else who would like to comment. No one came forward.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adjourn the Committee of the Whole. Vote by voice call. Trustee Glotz declared the motion carried and adjourned the meeting at 9:52 p.m.

ADJOURNMENT

dm