

SPECIAL MEETING - TOWN HALL
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

October 21, 2019

CALL TO ORDER The Town Hall Meeting of the Mayor and Board of Trustees of October 21, 2019 was held in the Conference Room of the Police Department, 7700 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Pro-Tem Guy Franzese

PLEDGE OF ALLEGIANCE was recited.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Schiappa, Paveza, Snyder, Mital, and Mottl. Also present were, Village Administrator Doug Pollock, Police Chief John Madden, State's Attorney Robert Berlin, Assistant Village Administrator Evan Walter, Village Attorney Melissa Wolf, and Village Clerk Karen Thomas.

SUMMARY OF STATE OF ILLINOIS CANNABIS REGULATION AND TAX ACT (CRTA)

– VILLAGE ATTORNEY MELISSA WOLF Village Administrator Doug Pollock introduced Attorney Melissa Wolf to present an overview of the Cannabis Regulation Tax Act. Ms. Wolf stated that as of January 1, 2020 the possession and private use of Cannabis will become legal for Illinois residents over 21 years old. As part of the decriminalization of Cannabis, the act provides for mandatory and discretionary expungement of criminal convictions related to minor and non-violent cannabis offenses. Municipalities may not restrict the possession of Cannabis within these legal limits and may not restrict the private consumption of Cannabis as authorized by CRTA. However, the Act does prohibit public use of Cannabis. The Village of Burr Ridge may adopt and enforce local ordinances to regulate possession and public consumption of Cannabis so long as the regulations are consistent with CRTA. The act also allows for home grown Cannabis for medical patients over 21 years old, and are a resident of Illinois, on a limited basis. The Act also maintains the Illinois Smoke Free Act. Nothing prohibits employers from adopting reasonable zero tolerance or drug free work place policies. The Act also authorizes municipalities to prohibit (opt out) or to allow and regulate the location of Cannabis businesses. Regardless if the Village does allow the adult use of Cannabis establishments, the Village will also be a part of a revenue sharing program established by the State and will receive eight percent of local government distributive fund money. The Village is obligated to use those funds for crime prevention programs, training and interdiction efforts related to the illegal Cannabis market and Cannabis based DUI's.

Trustee Mottl questioned if the Village would receive the Local Government Distributive Funds (LGDF) whether or not the Village opts in. Ms. Wolf confirmed the Village would receive the LGDF funding regardless and emphasized the use of the funds is restricted as mentioned if the Village opts out. If the Village decided to opt in, up to three percent sales tax could be established and would not have limitations.

PUBLIC SAFETY IMPLICATIONS OF CRTA – POLICE CHIEF JOHN MADDEN AND STATE'S ATTORNEY ROBERT BERLIN Chief Madden stated he is opposed to the legalization

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of Cannabis in Illinois and believes it will create significant challenges for law enforcement. There are concerns of increased teenage use, increased crime, increased traffic fatalities, impaired driving enforcement and the black market. Chief Madden stated he was asked to present crime statistics on existing medical dispensaries in Illinois. The Village of Lombard surveyed eleven area communities. No Community indicated that any medical Cannabis Dispensary requested more than three calls for service during the recent four-year period. He then introduced State's Attorney Robert Berlin.

Mr. Berlin presented research regarding legalized Cannabis in other States. Colorado passed the law legalizing marijuana in November 2012 and it actually took effect January 2014. In 2017 a survey indicated 45 percent increase in teenage use of marijuana. In three years after legalizing marijuana, overall crime increased 10.8 percent, with violent crime increasing 18.6 percent. Traffic fatalities have increased 38 percent. Washington and California have experienced similar increases in traffic fatalities after legalizing marijuana. Research indicates that legalizing the sale and possession of marijuana does not eliminate illegal drug dealers. Mr. Berlin stated that one challenge for Law Enforcement is there is no road side test for marijuana. A driver would have to consent to further testing or a search warrant would be required. Marijuana dissipates quickly, in two to three hours, which makes it extremely difficult to get a chemical test and makes these cases difficult to prosecute.

Mayor Grasso arrived at 7:22. He stated that being part of the Village for years, he thinks he knows the tenor of the residents and asked that three people supporting opting in and three supporting opting out speak and then he will call for an early vote.

PUBLIC COMMENTS

Resident Richard Morton is opposed to the Village opting in for several reasons. He is concerned that families with young children will choose to move elsewhere if Burr Ridge is selling marijuana and the housing market will suffer. To choose north side or south side over the other for a dispensary is disingenuous and would be the wrong step forward.

Resident George Daker said according to a Chicago Tribune article, Chicago legalized Cannabis except in the Gold Coast area, the Mag Mile and the south and west loop and asked those present to think about the reason.

Hassan Aly, Imam and director of Mecca Center, stated that many families have moved to Burr Ridge believing it is a safe place to raise their children. He believes that would not happen if this kind of business is allowed.

Resident Phil Fox expressed concerns about the traffic problems and crime regardless of where marijuana is dispensed.

Resident Rabinder Malhotra is in favor of opting out to keep Burr Ridge a peaceful and special place. The image of Burr Ridge and house values are more important than potential tax revenue.

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Former Resident Spencer Hauptman stated he and his partners are interested in opening a dispensary which would benefit the Village economically.

Mayor Grasso asked for a show of hands of who is for opting in. There were approximately 10-12 people in favor. The remaining approximately 110 people were in favor of opting out.

Motion was made by Trustee Franzese and seconded by Trustee Schiappa to direct the Plan Commission to hold a Public Hearing to consider Text Amendments to the Zoning Ordinance to prohibit Cannabis businesses in the Village of Burr Ridge.

DISCUSSION BY BOARD OF TRUSTEES

Trustee Paveza pointed out that marijuana is illegal according to the Federal Government but it is not enforced. There will be costs associated with allowing marijuana businesses in Burr Ridge.

Trustee Schiappa voiced his concerns about food containing marijuana including brownies, gummy bears, cookies, candy bars, popsicles that could mistakenly be substituted for children's treats.

Trustee Mital stated she does not think Cannabis Dispensaries belong in the Village. Medical and long term ramifications are very negative. She would like Burr Ridge to be a pit stop not a pot stop.

Trustee Mottl commented that legalizing marijuana and gambling are poor solutions to economic problems.

Trustee Franzese listed several industries that are not desirable for Burr Ridge, a Cannabis Dispensary being one. There will be more people driving under the influence if Cannabis Dispensaries are allowed in Burr Ridge. The tax revenue does not offset the increased demand on the Police Force, the impact on traffic or the image it creates for Burr Ridge.

On Roll Call, Vote Was:

AYES: 6 – Trustees Franzese, Schiappa, Paveza, Snyder, Mital, Mottl

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

Mayor Grasso explained it is important for this to become part of the Zoning law emphasizing the motion was to direct the Plan Commission to consider a Text Amendment to prohibit recreational Cannabis anywhere in the Village. After the Plan Commission considers the Amendment it will come back to the Board for a final vote.

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Assistant Village Administrator Evan Walter advised that the Plan Commission will consider this at the meeting on November 18, 2019 and make a recommendation to the Board. The Village Board will consider this on November 25, 2019 and Direct Staff to prepare the Ordinance.

Motion was made by Trustee Mottl and Seconded by Trustee Snyder that the Town Hall Meeting of October 21, 2019 be adjourned.

The Motion was approved by unanimous voice vote of the Board of Trustees and the meeting was adjourned at 8:10 p.m.

Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this _____ day of _____, 2019.