



## City of Rock Falls Committee of the Whole Meeting Minutes

**Date: August 26, 2019**

**Time Meeting Started: 6:00 p.m.**

**Time Meeting Ended: 6:58 p.m.**

Members		Also Attended	
Mayor Wescott	P	Tony Sosi	P
Alderman Palmer	P	Rick Turnroth	P
Alderman Wangelin	P	Charles Koehler	P
Alderman Snow	P	Attorney Cole	P
Alderman Kuhlemier	P	City Administrator Blackert	P
Alderman Kleckler	P		
Alderman Sobottka	P		

Topic	Discussion	Plan of Action
1. Call to Order	<ul style="list-style-type: none"> <li>Mayor Wescott called the meeting to order</li> </ul>	6:00 p.m.
2. Discussion on issues relating to the legalization of recreational marijuana	<ul style="list-style-type: none"> <li>Attorney Cole presented the Committee with things that will have to be considered before the bill goes into effect on January 1, 2020.</li> <li>The Illinois Criminal Code – the biggest portion of this new act is that they are going to be decriminalizing marijuana use, consumption and possession. They are going to be expunging certain criminal offenses relating to the use of cannabis.</li> <li>As of January 1, 2020 anyone 21 years of age and over can consume, possess and purchase cannabis and cannabis products from licensed stores, this will be a license for a dispensary. If the City was to move forward and adopt their own license classification we could follow the same licensing structure as the State. Moving forward we can structure our ordinances so that there would be zoning requirements as to where the classifications would be allowed.</li> <li>What does it mean to possess, consume and purchase cannabis moving forward? This will be limited to persons 21 years of age and over for possession and you can't have it in sensitive areas (schools, school buses, etc.). You have to be 21 to consume cannabis, and you may consume anywhere that is not considered a public place. A public place is defined as anywhere that a person might see you in public. That is going to be pretty restrictive so it is going to basically be home use.</li> <li>There are going to be many gray areas in this bill. There is a request from the Illinois Municipal League to get some clarification on different issues, they pushed this bill out so fast so we don't have answers for everything yet so there will be some new trailer bills following this Act, hopefully before January 1, 2020 so we know what to do.</li> <li>One issue for the City is the Home Cultivation provision. Anyone with a medical card can grow up to five plants in their homes and they can have as much produce from those plants as they want as long as they don't sell it and keep it for personal use. One issue for the City could be is do we create a registry so we know who is allowed to grow in their homes. This is one of the questions that the IML has asked for some clarification on.</li> <li>The City has two things that are going to have to be considered moving forward. One is making changes to the zoning ordinance the other is establishing reasonable rules and regulations for the use, possession and consumption and the managing of these businesses. The Act allows the City to enact reasonable zoning ordinances regulating these cannabis business establishments. We can choose to locate these establishments wherever we want within the City as long as it is not unreasonable. Right now the running idea has been the Adult Use which would keep everything</li> </ul>	

	<p>close to the Industrial Park but that is not the only thing we could do. You could give them a special use permit that would allow them in specific zoning classifications but they have to meet the City's requirements to get the special use permit. There is a provision for IML opt out, this is a big issue that has currently come up. The statute as it is read says that the City can't unreasonably prohibit the location of cannabis business establishments, this means that we can't say no. The IML has interpreted this to read that the City is allowed to opt out or cannabis, meaning we could prevent any cannabis business establishment from being put in the City. There will be more clarification coming on this in the future.</p> <ul style="list-style-type: none"> <li>• Time, place and manner regulations. At some point we are going to have to update the City Code, in part because we have provisions in there prohibiting people from possessing marijuana. One other area is going to be licensing, there are 5 license classifications from the State, we can also license just like we do for liquor. We can charge a fee for it, we can regulate how many licenses we give out, limit the hours of operation, sensitive locations. We can set fines for different violations of the ordinances.</li> <li>• Marijuana consumption on premises is another issue. It is basically a cigar lounge for marijuana. This is something that we can opt out of, but a decision that will need to be made if it will be allowed or not.</li> <li>• The City can tax all the retail sales of marijuana up to three percent. This is in addition to the 8 ¼% sales tax.</li> <li>• Mayor Wescott stated that the Planning/Zoning Commission has a meeting that will be scheduled for September 12, 2019 at 5:30 p.m. and a Public Hearing will be held.</li> </ul>	
3. Adjournment		Adjourn at 6:58 p.m.

*Michelle K Conklin*

Michelle K. Conklin, Deputy City Clerk