



Village of Hanover Park Administration

Municipal Building
2121 Lake Street
Hanover Park, IL 60133-4398

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PRESIDENT
RODNEY S. CRAIG

VILLAGE CLERK
EIRA CORRAL

TRUSTEES
WILLIAM CANNON
JAMES KEMPER
JENNI KONSTANZER
JON KUNKEL
RICK ROBERTS
EDWARD J. ZIMEL, JR.

VILLAGE MANAGER
JULIANA A. MALLER

VILLAGE OF HANOVER PARK

VILLAGE BOARD REGULAR WORKSHOP MEETING Municipal Building: 2121 W. Lake Street Hanover Park, IL 60133

Thursday, April 3, 2014
6:00 p.m.

AGENDA

1. CALL TO ORDER-ROLL CALL
2. ACCEPTANCE OF AGENDA
3. REGULAR BOARD MEETING AGENDA ITEM REVIEW
4. DISCUSSION ITEMS
 - a. Capital Equipment Fund
 - b. GATSO Red Light Camera Contract
 - c. Municipal Electric Aggregation
 - d. Medical Marijuana
 - e. Purchase of 2-1/2 Ton Dump Truck
5. STAFF UPDATES
 - a. Hanover Square Update
6. NEW BUSINESS
7. ADJOURNMENT



TO: Village President and Board of Trustees

FROM: Juliana A. Maller, Village Manager
Howard A. Killian, Director of Engineering and Public Works

SUBJECT: Capital Equipment Fund

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: April 3, 2014 – Board Workshop

Executive Summary

The purpose of this presentation is to provide the Village Board with an explanation of the purpose of the Capital Equipment Fund.

Discussion

The Village owns and maintains a fleet of 153 vehicles and equipment (lawn mowers, tractors, trailers, etc.), with a cumulative purchase value of \$8,420,981.

The Fleet Services Capital Equipment Fund was created to achieve several goals.

1. *Accumulate Funds for Large Equipment Purchases*
The replacement costs for some of our large pieces of equipment can put a substantial burden on a single annual budget. The replacement of an aerial fire truck (\$1,200,000), a sewer cleaner (\$350,000), or an ambulance or plow truck (\$200,000) can be problematic if it is required to be funded as a general operating budget expense in any one budget year. A large number of smaller vehicles such as police squads or pickup trucks can also be difficult to fund without use of a reserve account where funds have been saved to cover these type of future expenditures.
2. *Maintain a Level Capital Equipment Expense Over Budget Years*
The fund is a tool to allocate fleet capital on a level basis from year to year. Our current 10-year vehicle replacement schedule has expenses for equipment varying from \$282,500 in 2019 to \$1,857,000 in 2016. This is very difficult to adjust on a year to year budget.
3. *Allocate Equipment Cost to User Department Budget*
This system charges user departments on an annual basis based on the cost of their total group of vehicles. It also shows as an example the relative costs of the Police Patrol Fleet that requires high usage, very dependable new vehicles

Agreement Name: _____

Executed By: _____

compared to Code Enforcement that can make due with older, less critical units. In addition, it allows a proper accounting by funds (Water and Sewer versus General).

Capital Fund Formula for Contribution

The funding of this Capital Fund is based on setting aside the cost of replacement vehicles over the life of the equipment. A simple example would be the purchase of a 2015 pickup for \$20,000. At the time of purchase, we assume an 8-year life with an inflation rate of 2.5%. We would therefore require \$24,368 available for this unit's replacement in 2023. We would charge the user department \$3,046 per year for 8 years to accumulate the \$24,368 needed for replacement.

Vehicle Replacement

All the vehicles in our fleet are subject to an ongoing evaluation process. Units are inspected as part of routine maintenance. Vehicles that are scheduled for replacement, due to age or mileage, or units identified with problems, are reviewed. Replacement recommendations are based on a determination that a particular unit can no longer perform as intended. The evaluation includes dependability, maintenance costs, and suitability for its intended function.

3000 Series Vehicles

These vehicles have been used by a Village department and have been replaced. The replacement is based on our standard criteria of age, mileage, condition for their function. Most of the units we replace can be used for additional life in less demanding and less critical roles. An example would be a Police squad that is 3 years old with 120,000 miles. This unit will be more prone to breakdowns, high maintenance, and lacks the durability for heavy police use. We would not want to keep this in Police Patrol service. This unit can however function well for an additional 2 to 5 years in a less demanding role in Code Enforcement or as a pool unit. These units are given a 3000 vehicle number and funds are no longer set aside for its replacement in the Capital Fund. Generally speaking, we attempt to get an additional 2 to 5 years use out of all of our vehicles prior to disposal. We currently have about 30 3000 series vehicles. These also include vehicle's confiscated by the police, which we do not replace.

Contributions

Each year, the Fleet Manager works with the Finance Director to adjust the fund based on replacement value and projected life of equipment, to determine the amount which should be set aside to pay for the future replacement of a vehicle.

The basic calculation is the original purchase price of the vehicle, multiplied by the inflationary calculator for each year of the expected life of the vehicle. This number is then divided by the expected life to determine the amount to be set aside by each department annually. See Attachment A for a few examples of a typical funding algorithm.

Listed below are typical life spans of certain types of vehicles.

Police Patrol:	3.5 to 4 years front line service 3 to 4 years as reserve in Code or pool vehicle Sold at auction
1 Ton Dump:	10 years front line service

Evaluated for reserve or disposal at auction
2 years reserve, then auction

Ambulance: 9 years front line service
3 years reserve
Sold at auction or specialized sale site

In any given year, the Village purchases between 8 and 16 vehicles expending between \$350,000 and \$1,500,000.

Recommended Action

Provide Village Board with the explanation of the purpose of the Capital Equipment Fund and answer any questions.

Attachments: Vehicle Replacement Schedule

Budgeted Item:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	N/A
Budgeted Amount:	\$				
Actual Cost:	\$				
Account Number:					

FLEET SERVICES
VEHICLE REPLACEMENT SCHEDULE

VEHICLE TYPE	REPLACEMENT		
	YEARS	MILES/HOURS	
Administrative Autos	8	80,000 miles	
Police Squads	3.5	90,000 miles	These units are transferred to other depts.
Compact Pickups	7	50,000 miles	
3/4 to 1 Ton Pickups	8	40,000 miles	These snow removal units begin to rust after 5 years
1 Ton Dumps	10	30,000 miles	
2 ½ Ton Dumps	12	30,000 miles	
5 Ton Dumps	12	30,000 miles	
Sweepers/ Sewer Cleaners	12	3,000 hours	
Heavy Industrials Backhoes/Loaders	15	2,500 hours	
Light Industrials Chippers/Mowers	10	2,000 hours	
Trailers	14		
Fire Pumpers/Aerials	20		Ten years front-line, Ten years reserve
Ambulances	9	90,000 miles	Six years front-line Three years reserve

This replacement schedule is a working plan and guide. Each vehicle is evaluated for replacement on its own merits.

Revised 1/05/10



TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager
David Webb, Police Chief

SUBJECT: GATSO Red Light Camera Contract

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: April 3, 2014 – Board Workshop

Executive Summary

The Police Department requests Village Board input on continuing with the GATSO USA agreement. The Police Department recommends the second 1-year extension of the agreement. Staff will then begin the process of evaluating a new agreement with GATSO USA.

Discussion

In June of 2008, the Police Department signed a contract with GATSO USA to be the “red light camera” vendor for the Village of Hanover Park. The agreement and services under the agreement were for a period of five years, with two optional 1-year extensions. The first five years of the agreement expired on June 19, 2013. The first 1-year extension expires June 19, 2014. The agreement will automatically extend for an additional year unless the Village notifies GATSO otherwise.

The red light camera program has been beneficial for several reasons:

1. It has lowered accidents at the Barrington Road and Lake Street intersection since the start of the program in 2008.
2. Should an accident occur within the intersection, it allows for investigating officers to review the video footage.
3. Red light camera violations are very clear and easily defined for the administrative adjudication process or for criminal/traffic court.
4. The program allows for that intersection to be recorded at all times regarding other criminal or traffic scenarios.
5. The program has the ability to go live and stream video if necessary.
6. The program allows officer manpower to be allocated in other areas.
7. All citation revenue goes to the Village of Hanover Park General Fund. FY14 revenue this year as of 2/28/14 is \$107,794.

Agreement Name: _____

Executed By: _____

One issue the Police Department has experienced is the Amber Alert add-on feature associated with it. The Amber Alert feature, which allows the intersection to switch from recording red light camera violations to a license plate recognition device, does not always function properly. It has been determined that it cannot keep up with the traffic volume at the intersection. GATSO has acknowledged the software problem.

The Police Department is satisfied with GATSO USA as the vendor. Problems have been minimal and GATSO has been very responsible from a customer service standpoint.

The Police Department recommends continuing with the last year of the contract.

Recommended Action

Move to proceed with the continuation of the GATSO USA agreement for the final 1-year extension.

Attachment: GATSO USA Contract

Budgeted Item:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Budgeted Amount:	\$N/A	
Actual Cost:	\$	
Account Number:		



Technology & Business Services Agreement

This agreement is made on the 19th day of June, 2008, between **GATSO USA, Inc.**, a Delaware corporation with a principal business address at 900 Cummings Center, Suite 410-T, Beverly, Massachusetts 01915 ("GATSO") and the **Village of Hanover Park, Illinois**, a municipality/village of the State of Illinois with a principal business address of 2121 W. Lake Street, Hanover Park, Illinois 60133.

WITNESSETH:

Whereas the Village wishes to retain the technology and business services of GATSO USA to supply the Village with a red-light photo-enforcement program for the monitoring of red-light violations and associated traffic offenses.

1. DURATION AND TERMINATION OF AGREEMENT

- 1.1 This agreement and the services provided under this agreement shall commence on the effective date stated above, and continue for a period of five years, with two (2) optional one (1) year extensions.
- 1.2 One year extensions shall be renewed each year on the anniversary of the start date unless the Village notifies GATSO in writing of their intention to terminate the agreement, at least 30 days prior to the anniversary date.
- 1.3: Termination of the agreement can be made at the mutual agreement of both GATSO and the Village.
- 1.4 Either party may terminate this agreement for cause if: (i) the other party has breached its obligations under this agreement; (ii) the state legislation is amended to prohibit the operation of automated traffic law enforcement systems; or (iii) any court having jurisdiction over the Village's rules, or state or federal statute declares, the results from the automated traffic law enforcement system is inadmissible in evidence or otherwise overturns the state legislation. The terminating party must provide 30 days advance notice to the other party of its intent to terminate, which notice shall include the reasons for the termination and, in the case of a breach, shall provide the other party with an opportunity to cure the breach within the 30 day period following notice from the terminating party.

- 1.5 The Village is entitled to terminate this agreement for convenience, provided that the Village provides 60 days advance notice to GATSO of its intent to terminate. In the event that the Village exercises its option to terminate for convenience within the initial three year term, the Village will be required to pay to GATSO a penalty fee for such termination in the amount of \$1,000 per approach for each month remaining in the initial three year term of this agreement. The penalty fee will not be triggered until after the expiration of the 60 day notice period, being the "close date," and the penalty fee will be due to GATSO 30 days after such close date. No penalty fee will apply to a termination for convenience by the Village during any renewal term of this agreement.
- 1.6 At the close date for this agreement, either through contract duration or through termination for cause, convenience or mutual agreement; image capture activities shall cease immediately however both GATSO and the Village accept that all photo-enforcement violations still in process or captured prior to the close date shall be concluded to their final state, in the same manner and under the same conditions of compensation.
- 1.7 Upon the termination of this agreement, GATSO shall promptly remove all associated hardware and equipment, which removal shall be no later than 45 days after termination. Upon removal of the hardware and equipment, GATSO shall restore the intersections to substantially the same condition as existed prior to this agreement and repair any damage resulting from the installation or removal of GATSO's hardware or equipment.

2. COMPENSATION

- 2.1 GATSO USA proposes a compensation scheme based on a service fee per transaction basis, corresponding with State of Illinois supporting legislation ILCS 5/11-208.
- 2.2 Transactions comprise of:

Image capture	\$5.00
Initial review	\$5.00
DMV inquiry	\$5.00
Second review	\$5.00
Police Dept review preparation	\$5.00
Citation issuance & mailing	\$5.00

Maximum compensation per issued citation is capped at **\$30.00**

In addition to these fees, the Village will pay a charge of \$15 per camera for each hour that the camera is activated for Amber Alert, except that there is no charge for the first 30 minutes of Amber Alert Activation for each camera for the first five activations in any one month.

- 2.3 All installed equipment under this contract shall remain the property of GATSO for the duration of the agreement and any costs associated with the supply, installation, commissioning, operation and maintenance of the original configured system shall be at the cost of GATSO.
- 2.4 GATSO contracts that there shall be no additional charges for project start up fees, program implementation, monthly rental/lease fee per camera or per approach and or percentage of revenues collected. All compensation paid to GATSO shall be that stated in 2.1
- 2.5 GATSO shall invoice Village for service fees on the 30th day of each month and shall be paid by Village on or before the 30th day of the following month. Late payment fees of 1.5% of outstanding balances as of the 30th day of the due month shall be added to the invoice of the next month.

3. SCOPE OF WORK

- 3.1 GATSO shall install, operate and maintain the GATSOMETER red-light photo enforcement system in accordance with standard installation practices at locations agreed to between GATSO and the Village.

The systems that will be installed, operated, and maintained by GATSO is described more fully in Exhibit A and will be installed at the intersections designated in Exhibit A. GATSO and the City will mutually agree on the identification of enforced intersections based on community safety and traffic needs as warranted. GATSO agrees that installation, operation, and maintenance of the system will be in accordance with the provisions of City/Village Municipal Code or City/Village Ordinance, as well as Section 11-208.6 of the Illinois Vehicle Code, 625 ILCS 5/11-208.6

- 3.2 A system shall remain at its initial location for the duration of the agreement period or for a minimum of one year before being moved to a new location and only after the written consent by both parties.
- 3.3 Each system shall operate on a continual 24 hour basis for the duration of the agreement and shall only be non-operational for periods of maintenance.
- 3.4 GATSO shall upload encrypted violation images and embedded violation data to a secure GATSO server in a timely manner that ensures the camera system remains in operation at all times. Images and data shall be correlated to DMV records and an electronic violation package assembled.
- 3.5 GATSO shall process the violation images and data through a web-based program and provide the Police Department with limited access to that program to enable Police Department review and approval/rejection of violations, prior to a citation being issued.
- 3.6 GATSO shall issue mailed citations through this web-based program and allow for the review of violation images and data. Cited registered owners of violation vehicles are able to view images and offense video through the web-portal by

- using unique identifier codes issued on each citation issued. Additionally, there shall be a 1-800 helpdesk number to either discuss the citation in more detail or accept the payment
- 3.7 GATSO shall provide necessary training and training documentation to Village employees, as designated.
 - 3.8 GATSO shall store captured violation data and images for a period of one year from the violation date. The Village shall have access to this data for the duration of the stored period.
 - 3.9 GATSO shall provide payment facilities in the form of 'pay by web', 'pay by phone' and 'pay by mail' for the payment of citations issued within the red-light photo enforcement program. Payment facilities will also include a lock-box.
 - 3.10 GATSO shall provide monthly reports to the Village comprising of statistics relating to the entire program, including but not limited to; the number of captured violations, the number of violations sent for police department approval, number of citations sent and the number of citations paid.
 - 3.11 GATSO contracts to ensure the GATSOMETER systems installed for this program shall be subject to software upgrades when available, without charge to the Village.
 - 3.12 GATSO contracts that installation of equipment shall commence within 10 standard working days after all necessary state, county and city permits have been received.
 - 3.13 GATSO shall provide standard GATSO signage to the local approach roads to an enforced intersection at no cost to the Village. Non-standard signage specified by the Village shall be supplied to the Village at cost and included within the first invoice issued to the Village against this agreement.
 - 3.14 GATSO shall provide assistance to support the Village efforts in public education and awareness programs, including but not limited to; violation statistics and violation statistic improvements.
 - 3.15 The Village may from time to time request changes to the services required to be performed or the addition of products or services to those required pursuant to the terms of this Agreement by providing written notice thereof to GATSO. Upon GATSO's receipt of the requested change, GATSO shall deliver a written statement describing the effect, if any, the proposed changes would have on the pricing of this Agreement. Following the Village's receipt of the new pricing, the Parties shall negotiate to implement the proposed changes, the time, manner and amount of payment or price increases or decreases, as the case may be, and any other matters relating to the proposed changes. If the Village and GATSO fail to reach an agreement with respect to any of the proposed changes it shall not be deemed to be a breach of this Agreement.
 - 3.16 GATSO shall undertake to ensure that the red-light camera enforced IDOT intersections within the Village are compliant with State of Illinois LED traffic

signal requirements and that GATSO shall share the cost of any changes to the traffic signals necessary for compliance, to the limit of 50% of the total cost. The remaining 50% of any upgrade cost shall be made by the Village of Hanover Park. The shared cost that the Village would be responsible in paying shall not exceed \$7500.00 per IDOT controlled intersection.

4. CITY RESPONSIBILITIES

- 4.1 The Village shall designate a Village official with the authority to exercise the City responsibilities under this agreement.
- 4.2 The Village shall cooperate with GATSO during the planning, installation, implementation and operation phases of the program.
- 4.3 The Village at no cost, shall provide permits or assist in the provision of those permits to GATSO for the installation of equipment necessary for the program.
- 4.4 The Police Department shall provide authorized representatives to carefully review uploaded violations sent by GATSO and determine whether said violations are to be approved and subsequently mailed as citations, or rejected and subsequently reported on with the reasons of rejection.

5. GENERAL PROVISIONS

5.1 Indemnification and Liability.

A. The Village hereby agrees to defend and indemnify and hold harmless GATSO and its affiliates, shareholders or other interest holders, managers, officers, directors, employees, agents, representatives and successors, permitted assignees and all persons acting by, through, under or in concert with them (including but not limited to the supplies of equipment and installers), or any of them against, and to protect, save and keep harmless the from, and to pay on behalf of or reimburse the as and when incurred for, any and all Losses which may be imposed on or incurred by any GATSO or equipment provided and/or installer arising out of or in any way related to:

- i. any material representation, inaccuracy or breach of any covenant, warranty or representation of the Village contained in this Agreement;
- ii. the willful misconduct of the Village, its employees contractors or agents which result in bodily injury to any natural person (including third parties) or any damage to any real or tangible personal property (including the personal property of third parties), except to the extent caused by the willful misconduct of any GATSO Party;

- iii. any claim, action or demand not caused by GATSO's failure to perform its obligations under this Agreement; or
- iv. any claim, action or demand challenging the Village's use of the Automated Traffic Law Enforcement System or any portion thereof, the validity of the results of the Village's use of the Automated Traffic Law Enforcement System or any portion thereof; validity of the Citations issued, prosecuted and collected as a result of the Village's use of the Automated Traffic Law Enforcement System provided by GATSO.

B. GATSO hereby agrees to defend and indemnify and hold harmless the Village manager, officers, directors, employees, agents, representatives and successors, permitted assignees and each of their affiliates, and all persons acting by, through, under or in concert with them, or any of them against, and to protect, save and keep harmless the Village Parties from, and to pay on behalf of or reimburse the Village Parties as and when incurred for, any and all liabilities, obligations, losses, damages, penalties, demands, claims, actions, suits, judgments, settlements, costs, expenses and disbursements (including reasonable attorneys' fees and court costs) of whatever kind and nature, which may be imposed on or incurred by any Village Party arising out of or related to:

- i. any material misrepresentation, inaccuracy or breach of a covenant, warranty or representation of GATSO contained in this Agreement;
- ii. the willful misconduct of GATSO, its employees or agents which result in death or bodily injury to any natural person (including third parties) or any damage to any real or tangible personal property (including the personal property of third parties), except to the extent caused by the willful misconduct of any Village or any of its agents; or
- iii. any claim, action or demand not caused by the Village's failure to perform its obligations under this Agreement.

C. Notwithstanding anything to the contrary in this Agreement, neither Party shall be liable to the other, by reason of any representation or express or implied warranty, condition or other term or any duty at common or civil law, for any lost profits; indirect, incidental, or consequential damages, however caused.

D. In the event any claim, action or demand in respect of which any Party hereto seeks indemnification from the other, the Party seeking indemnification shall give the Party from whom indemnification is being sought written notice of such Claim promptly after the Indemnified Party first becomes aware. The Party from whom indemnifications is being sought shall have the right to choose counsel to defend such Claim (subject to approval of such counsel by the other Party, which approval

shall not be unreasonably withheld, conditioned or delayed), and to control, and settle such Claim. The Party from whom indemnifications is being sought shall have the right to participate in the defense at its sole expense; provided.

5.2 Relationship between GATSO and the Village. Nothing in this Agreement shall create, or be deemed to create, a partnership, joint venture or the relationship of principal and agent or employer and employee between the parties. The relationship between the Parties shall be that of independent contractors, and nothing contained in this Agreement shall permit either Party to incur any debts or liabilities or obligations on behalf of the other Party (except as specifically provided herein).

5.3 Assignment. Neither Party may assign all or any portion of this Agreement without the prior written consent of the other, which consent shall not be unreasonably withheld or delayed.

5.4 Applicable Law. This Agreement shall be governed by and construed in all respects solely in accordance with the laws of the State of Illinois.

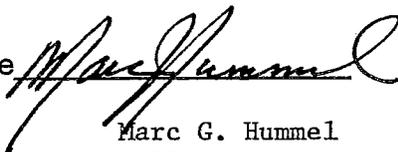
5.5 Jurisdiction and Venue. Any dispute arising out of or in connection with this Agreement shall be submitted to the exclusive jurisdiction and venue of the State Courts of the State of Illinois located in the County the Village resides, and both Parties specifically agree to be bound by the jurisdiction and venue thereof.

In witness thereof, GATSO USA and the Village of Hanover Park have executed this agreement as of the date stated above.

For and on behalf of GATSO USA

For and on behalf of Village of Hanover Park, Illinois

By: signature _____

signature  _____

name and title _____

Marc G. Hummel
Village Manager

name and title _____



TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager
Rebekah Flakus, Finance Director

SUBJECT: Ordinance Authorizing Renewal of Aggregation of Electrical Load and Adopting an Electric Aggregation Plan of Operation and Governance for the Village of Hanover Park

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: April 3, 2014 – Board Workshop

Executive Summary

Ordinance Authorizing Renewal of Aggregation of Electrical Load and Adopting an Electric Aggregation Plan of Operation and Governance for the Village of Hanover Park

Discussion

On the March, 2012 ballot, Village of Hanover Park residents approved a referendum allowing the Village to solicit bids on behalf of residents and small business owners to buy electric power on the open market. A Plan of Operation and Governance was put together by the Village and NIMEC (Northern Illinois Municipal Electric Cooperative) providing residents with a timeline and an accurate process of the aggregation. Two public hearings were held on May 17th and June 7th, prior to the Village Board Meetings, for any inquires on this Plan of Operation and Governance. The current ordinance approving the Plan of Operation and Governance was passed by the Village Board in June, 2012 and the municipal electric aggregation went into effect for a year bid in September, 2012 through August, 2013. An ordinance was passed in May, 2013 to continue the aggregation Plan of Operation and Governance for another year ending in August, 2014. The next step is to pass an ordinance to renew the aggregation for the Village again for another one year term. If approved, NIMEC would start going out to bid for electrical supply rates starting as early as the end of April, 2014, in an attempt to secure the lowest rate possible for residents.

The Village has been working with NIMEC for many years, purchasing the Village's power for water pumping and street lighting collectively with over 100 other municipalities at competitive market rates. NIMEC works with the Village, but is paid as a broker by the suppliers.

Agreement Name: _____

Executed By: _____

Recommended Action

Move to pass an Ordinance Authorizing Renewal of Aggregation of Electrical Load and Adopting an Electric Aggregation Plan of Operation and Governance for the Village of Hanover Park.

Attachments: Ordinance

Budgeted Item:	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Budgeted Amount:	\$			
Actual Cost:	\$			
Account Number:				

ORDINANCE NO. O-14-

ORDINANCE AUTHORIZING THE CONTINUATION OF AGGREGATION OF ELECTRICAL LOAD AND THE ELECTRIC AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE VILLAGE OF HANOVER PARK AND AUTHORIZING THE VILLAGE MANAGER OR HIS/HER DESIGNEE TO EXECUTE A CONTRACT CONCERNING A FUTURE SUPPLY CONTRACT

WHEREAS, the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, added Section 1-92 entitled Aggregation of Electrical Load by Municipalities and Counties (hereinafter referred to as the “Act”); and

WHEREAS, under the Act, the Village of Hanover Park may operate the aggregation program under the Act as an opt-out program for residential and small commercial retail customers, if a referendum is passed by a majority vote of the residents voting on the issue pursuant to the requirements of the Act; and

WHEREAS, on March 20, 2012, the voters of the Village approved the above referenced referendum; and

WHEREAS, the Village subsequently implemented its opt-out aggregation program in 2012, pursuant to Ordinance No. O-12-17, and thereafter entered into a supplier agreement which ended based on scheduled final meter read dates of August, 2013; and upon its expiration, Village implemented a second opt-out aggregation program in 2013 with the term of the supplier agreement to end based on scheduled final meter read dates in August, 2014; and

WHEREAS, the Village President and Board of Trustees hereby find that it is in the best interest of the Village of Hanover Park to continue to operate the aggregation program under the Act as an opt-out program and enter into an additional contract with a supplier pursuant to the terms of the Act; now, therefore,

BE IT ORDAINED by the President and Board of Trustees of the Village of Hanover Park, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: That the President and Board of Trustees of the Village find that the recitals set forth above are true and correct.

SECTION 2:

A. Pursuant to Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (the “Act”) the Corporate Authorities of the Village of Hanover Park are hereby authorized to aggregate, in accordance with the terms of the Act, residential and small commercial retail electrical loads located within the corporate limits of the Village, and for that purpose may continue to solicit bids and enter into further service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

B. The Aggregation Program for the Village of Hanover Park shall continue to operate as an opt-out program for residential and small commercial retail customers.

C. As an opt-out program, the Corporate Authorities of the Village of Hanover Park shall continue to fully inform residential and small commercial retail customers in advance that they have the right to opt-out of the Aggregation Program before the resident or commercial account is renewed. The disclosure and information provided to the customers shall comply with the requirements of the Act.

D. The Corporate Authorities hereby grant the Village Manager, or his/her designee by this Ordinance, the specific authority to execute a contract without further action by the Corporate Authorities and with the authority to bind the Village of Hanover Park.

E. The Village will again engage NIMEC, who managed the initial aggregation. NIMEC will solicit bids on behalf of the Village from multiple suppliers and consult with the Village of Hanover Park in its decision to select the supplier that best meets our needs. NIMEC will also assist with the conversion process, and provide assistance to residents with questions.

SECTION 3: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this day of , 2014, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTENTION:

Approved: _____
Rodney S. Craig
Village President

ATTESTED, filed in my office, and published in pamphlet form this day of , 2014.

Eira Corral, Village Clerk


Village of Hanover Park
AGENDA MEMORANDUM

TO: Village President and Board of Trustees

FROM: Juliana Maller, Village Manager
Shubhra Govind, Director of Community and Economic Development

SUBJECT: Zoning Regulations pertaining to Distribution Facilities for Medical Marijuana (pursuant to Public Act 098-0122 Compassionate Use of Medical Cannabis Pilot Program Act)

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: April 3, 2014 – Board Workshop

REQUEST SUMMARY:

Staff requests that the Board review the information, including issues, concerns, and recommendation from the Development Commission (following the public hearing process), as well as staff recommendation, and direct staff to prepare an ordinance to amend the Zoning Code pertaining to the location and operation of Cultivation Centers and Distribution Facilities for Medical Marijuana (Cannabis) within the Village of Hanover Park.

PROCESS TO DATE:

The Development Commission initiated a public hearing on November 14, 2013, as required by Resolution R-13-04, on the question of whether: 1) the Zoning Ordinance should be amended to include Distribution Facilities as a Special Use; 2) the Zoning or District Map should be changed; or 3) zoning text amendments are necessary; related to the Public Act 098-0122. The following meetings have been held subsequent to this process:

- On December 5, 2013, the Development Commission continued the public hearing, following initial discussion.
- On January 9, 2013, the Board adopted Resolution R-14-02 extending a moratorium on cannabis dispensaries and related facilities for a 180-day period following January 1, 2014, the effective date of the Public Act 098-0122.
- On January 16, 2014, a Workshop meeting was held for further detailed review to enable the Commission to make a formal recommendation. At this last meeting, staff identified several issues, provided discussion points and also made recommendations for each. The Development Commission had an opportunity to discuss each issue and determine the direction going forward.
- On February 13, 2014, the Development Commission formalized their recommendations.
- On March 27, 2014, the Development Commission reviewed and approved their meeting minutes, to be forwarded to the Board, along with their recommendation.

In this memo, staff has summarized the following:

- Definitions and location criteria for Cultivation Centers and Dispensing Facilities
- Summary of areas available, per state's location criteria (maps attached as well)
- Summary of issues, staff commentary, staff recommendation, Development Commission recommendation.

Following the Village Board's direction, Staff shall then prepare a draft Ordinance codifying the final determination by the Board for their formal adoption.

BACKGROUND:

Here is a brief overview for background:

- The Public Act 098-0122 is called the "Compassionate Use of Medical Cannabis Pilot Program Act". The law creates a four-year pilot medical marijuana program that will go into effect on January 1, 2014. It was created with a "sunset" provision so that if the legislature does not renew the program or create a new law the program will cease to operate four years from the date it went into effect.
- It legalizes the use of medical marijuana (also referred to as 'Compassionate Cannabis') in Illinois, permitting its distribution to qualifying patients with a prescribed debilitating medical condition.
- The Act allows for no more than one cultivation center in each state police district for a total of 22 possible centers. It allows for as many as 60 dispensing facilities to be located anywhere within the state.
- This Act allows for individuals with thirty-three serious diseases including cancer, HIV and multiple sclerosis to obtain an ID card allowing them to buy limited amounts. Individuals, with a special ID card issued by the Illinois Department of Public Health, are allowed to obtain up to 2.5 ounces during a 14 day period, of medical marijuana from a state-licensed dispensary.
- While the Village does not have the authority to wholly prohibit medical marijuana dispensing facilities, we are granted the authority to enact 'reasonable zoning regulations' in addition to the standards prescribed by the state. The statutory standards call for required buffering from certain uses and zones:
 - ✓ **Cultivation centers may not be located within 2,500 feet of "the property line of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, part day child care facility, or an area zoned for residential use."** Patients cannot grow their own medical cannabis. Only state-regulated cultivation centers would be allowed to grow cannabis.
 - ✓ **Dispensaries may not be located within 1000 feet of "the property line of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, or part day child care facility."** A dispensary also may not be located in any area zoned for residential use.

The Village initially adopted Resolution R-13-04 (attached), which established a moratorium on such facilities within the Village, for a period of 180 days from Aug. 1, 2013, and required the Development Commission to hold a public hearing within 120 days, after the law became a Public Act.

As determined through a mapping process, using the state's criteria for buffer requirements, there is a very small portion of the village that would meet the criteria for the location of a Cultivation Center. This is the area where Fuji Films is already located in, within the Turnberry Business Park. As such, the Development Commission's discussion focused on the location criteria for Dispensing Facilities. (Maps attached – larger maps will be available at the meeting)

As noted previously, since this issue is relatively new, municipalities are navigating unchartered waters. As such, staff's recommendations lean towards a more conservative approach. Once the facilities have been in operation for a period of time, and issues become clearer, it would be prudent to revisit the regulations and tweak them, if needed.

Attached please find a matrix identifying various communities and the Medical Marijuana related regulations they have adopted.

The following issues were discussed at the January 16, 2014 Workshop meeting:

Issue 1: What zoning districts should these uses be allowed in?

Commentary/Discussion: Given the controversial nature of the use, this use could be potentially detrimental to attracting several other commercial uses, if it were located within the commercial district along our major roads. The major commercial corridors are intended to address the Village's vision to attract family-oriented, sales-tax generating businesses, as outlined in the Comprehensive Plan, Irving Park Rd. Corridor Plan, and the Village Center Plan. Another issue to note is that the state has a distance requirement to locate dispensaries from an existing school or daycare. Similarly, there may be other businesses and services in the commercial districts that are solely geared toward the same age group. Additionally, the B-1 and B-2 districts are located in close proximity to residential districts. Therefore, these uses would be better suited in industrial districts.

Staff recommendation: Dispensing facilities be permissible in certain industrial districts. Additionally, these facilities be located at least 1000-ft from a residential use or any area zoned for residential use. (Some other municipalities are using a distance requirement as well). Staff also recommended that a Dispensing Facility be located at least 1,000 feet from another dispensing facility, to discourage concentration in any geographical area.

Development Commission: Majority of the commission members felt the use should be allowed in business districts and not be restricted to Industrial districts only. However, majority did agree that Dispensing Facilities should be located at least 1,000 ft. from another dispensing facility, to discourage concentration in any geographical area.

Issue 2: Should they be allowed as permitted, special or conditional uses?

Commentary/Discussion: In order to ensure compliance with the state's requirements related to proximity with daycares and schools, and enable site plan review, staff recommends these uses not be permitted uses. Having the use classified as special use will enable a public review process so that potential issues with existing land uses could be brought forward and addressed during a special use process. This is important especially considering the unknown nature of potential issues that may arise.

Staff recommendation: Cultivation Centers and Dispensing Facilities be Special Uses in Industrial Districts.

Development Commission: Majority of the Commissioners agree it should be a Special Use, but not limited to Industrial Districts.

Issue 3: Should specific criteria be developed to evaluate potential locations?

Commentary/Discussion: Specific criteria may be needed regarding Site Plan Review, parking lot security, no drive-through, signage, distance from another similar use, and location of the site in relation to other uses. Due to the unknown level of demand at this time, parking requirements need be to on the conservative side as well. It is likely that these

facilities will generate a need for additional security and potentially attract a higher traffic volume.

Staff recommendation: Please see below a list of recommended criteria for the above mentioned issues.

Development Commission: The Commission did not see a need for specific criteria.

Issue 4: Should these be stand-alone buildings or is it acceptable for these uses to be located in a multi-tenant building?

Commentary/Discussion: The fact that the state has added various location restrictions on the dispensaries that are not imposed on regular pharmacies or other medical uses, leads us to believe that the marijuana dispensaries are intended to be treated differently and should be located in stand-alone buildings. It also minimizes impact on other businesses. This would allow for easier law/code enforcement, if needed. This requirement can be re-evaluated at a future date if needed; once more data becomes available after the facilities have been in operation for a duration of time.

Staff recommendation: That the use be located in stand-alone buildings, instead of a multi-tenant building, and that no drive-through be allowed.

Development Commission: The Commission unanimously stated either stand-alone or multi-tenant building will be acceptable. A majority of the Commission also stated that drive-through was acceptable.

Issue 5: Should retail of paraphernalia (to enable patients to ingest the medication) be permitted within the dispensaries?

Commentary/Discussion: At this time, retail sale of drug paraphernalia is illegal in Hanover Park. Even if retail sale was allowed, to enable the patient to ingest the medication, it would be impractical to monitor whether the paraphernalia was being used by the intended patient or for an illegal activity. As such, staff recommends that we remain cautious about permitting sale of paraphernalia. The Police Department has recommended that no sale of drug paraphernalia be allowed in the Dispensing facilities. (Most municipalities are silent on this issue. Naperville has added a limitation on square footage for retail sale of paraphernalia. The State does allow for paraphernalia to be sold to patients with ID.)

Staff recommendation: Per the Police Department's recommendation, no drug paraphernalia be allowed to be sold at the Dispensing Facilities.

Development Commission: Unanimous support to allow sale of drug paraphernalia at dispensing facilities, but limited to 10% of square footage of floor space.

Issue 6: Should there be any specific restrictions/requirements related to signage for the dispensaries?

Commentary/Discussion: If the intent is to limit explicit advertising of the business, certain restrictions can be placed on outdoor signage. Images from other states indicate that these facilities use certain imagery to advertise their location.

Staff recommendation: Signs shall not include any realistic or stylized graphical representation of the cannabis plant or its parts or any realistic or stylized graphical representation of drug paraphernalia. Signs shall not include any wording that would identify the property as a medical marijuana dispensary or use clinical, botanical or slanging terms for cannabis, cannabis consumption, cannabis intoxication or drug paraphernalia

including but not limited to “cannabis”, “marijuana”, “weed”, “pot”, “420”, “joint”, “Mary Jane”, “ganja”, “hash”, “herb”, “bong”, etc.

Development Commission: Agree with staff recommendation, noting that signage is to be primarily for identification purposes.

CONECT Committee Recommendation:

On February 11, 2014, the CONECT Committee members provided feedback that the Dispensing Facilities should be located away from our main, most highly visible, commercial areas, restricting them to industrial areas with a distance requirement from residential. Individual businesses also indicated that they would NOT like a Marijuana dispensary located next to them. CONECT member Phil McBride, who was previously on the Development Commission, sent a letter with his concerns, which has been made part of the public hearing testimony. (Attached.)

SUMMARY of Development Commission Recommendations:

Add the following definitions to Section 110-2.3 Definitions of Chapter 110 Zoning of the Hanover Park Municipal Code:

Medical Cannabis Cultivation Center: A facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis, per the Compassionate Use of Medical Cannabis Pilot Program Act, enacted by the State of Illinois effective January 1, 2014, as may be amended from time to time.

Medical Cannabis Dispensing Facility: A facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis to registered qualifying patients, per the Compassionate Use of Medical Cannabis Pilot Program Act, enacted by the State of Illinois effective Jan 1, 2014, as may be amended from time to time.

Add the following in the appropriate Section/zoning district where the uses are finally determined to be permissible in:

Medical Cannabis Cultivation Center: In those zoning districts in which a Medical Cannabis Cultivation Center may be located, the proposed facility must comply with the following:

1. Facility may not be located within 2,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, daycare center, daycare home, or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located within 2,500 feet of the property line of a pre-existing property zoned for residential use.
3. Facility may not conduct any retail sales.
4. For purposes of determining required parking, Medical Cannabis Cultivation Centers shall be classified as “Industrial - Research and Development” per Section 6.2.3 Schedule of Off-Street Parking Requirements: Industrial Uses.

Medical Cannabis Dispensing Facility: In those zoning districts in which a Medical Cannabis Dispensing Facility may be located, the proposed facility must comply with the following:

1. Facility may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, daycare center, daycare home, or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
2. Facility may not be located in a home, apartment, condominium.
3. Facility should be located at least 1,000 feet from another medical cannabis dispensing facility, to discourage concentration in any geographical area.
4. For purposes of determining required parking, said facilities shall be classified as "medical/dental" per Section 6.2.3 (Schedule of Off-Street Parking Requirements: Services and Institutions).
5. Signs for a Dispensing Facility shall not include any realistic or stylized graphical representation of the cannabis plant or its parts or any realistic or stylized graphical representation of drug paraphernalia. Signs shall not include or any wording that would identify the property as a medical marijuana dispensary or use clinical, botanical or slanging terms for cannabis, cannabis consumption, cannabis intoxication or drug paraphernalia including but not limited to "cannabis", "marijuana", "weed", "pot", "420", "joint", "Mary Jane", "ganja", "hash", "herb", "bong", etc.

Add the following in Section 110-5.8. B-1 convenience shopping district

Section 5.8.3. *Special uses*

- o. Medical Cannabis Dispensing Facility

Add the following in Section 110-5.9. B-2 Local Business District

Section 5.9.3. *Special uses*

- f. Medical Cannabis Dispensing Facility

Add the following in Section 110-5.10 BP Business Park District:

Section 5.10.3 Special Uses

- f. Medical Cannabis Cultivation Center
- g. Medical Cannabis Dispensing Facility

Add the following in Section 110-5.11. HC High Cube District

Section 5.11.3 Special Uses

- g. Medical Cannabis Dispensing Facility

Add the following in Section 110-5.12. LI Limited Industrial District

Section 5.12.3 Special Uses

- n. Medical Cannabis Dispensing Facility

SUMMARY of Staff Recommendations:

Staff's recommendations are consistent with those of the Development Commission's **except** for the following:

- Add the following criteria to the location of Medical Cannabis Dispensing Facility:
 1. Facility should be located at least 1000-ft from a residential use or any area zoned for residential use.
- That the Dispensing Facilities be only allowed in the Industrial Districts, and **not** in B-1 Convenience Shopping or B-2 Local Business Districts.
- That the use be located in stand-alone buildings, instead of a multi-tenant building, and that no drive-through be allowed.
- Per the Police Department's recommendation, no drug paraphernalia be allowed to be sold at the Dispensing Facilities.

RECOMMENDATION

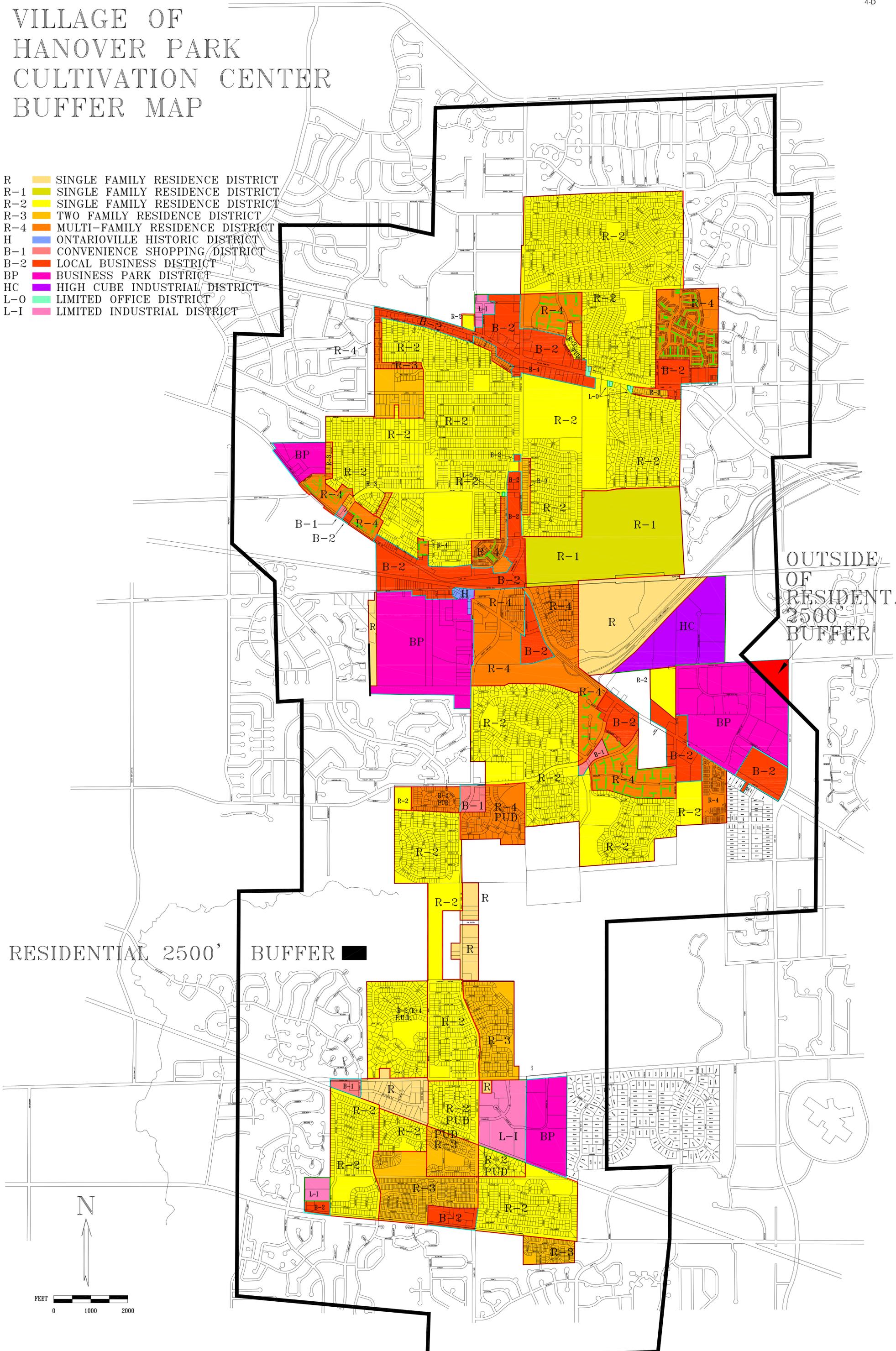
Staff recommends that the Board review the issues and the recommendations from staff, the Development Commission, as well as the CONECT committee, and direct staff to prepare findings, as well as the Zoning Code text amendment, for formal Village Board approval related to the location of medical marijuana facilities.

ATTACHMENTS:

- Exhibit 1 - Maps – using state's criteria for location
- Exhibit 2 - Email from Mr. McBride (member of CONECT)
- Exhibit 3 - Draft meeting minutes from 2/13/14 Development Commission meeting
- Exhibit 4 - Matrix – Other municipalities' regulations
- Exhibit 5 - DMMC Report
- Exhibit 6 - Newspaper articles

VILLAGE OF HANOVER PARK CULTIVATION CENTER BUFFER MAP

- R SINGLE FAMILY RESIDENCE DISTRICT
- R-1 SINGLE FAMILY RESIDENCE DISTRICT
- R-2 SINGLE FAMILY RESIDENCE DISTRICT
- R-3 TWO FAMILY RESIDENCE DISTRICT
- R-4 MULTI-FAMILY RESIDENCE DISTRICT
- H ONTARIOVILLE HISTORIC DISTRICT
- B-1 CONVENIENCE SHOPPING DISTRICT
- B-2 LOCAL BUSINESS DISTRICT
- BP BUSINESS PARK DISTRICT
- HC HIGH CUBE INDUSTRIAL DISTRICT
- L-0 LIMITED OFFICE DISTRICT
- L-1 LIMITED INDUSTRIAL DISTRICT



OUTSIDE OF RESIDENT. 2500 BUFFER

RESIDENTIAL 2500' BUFFER

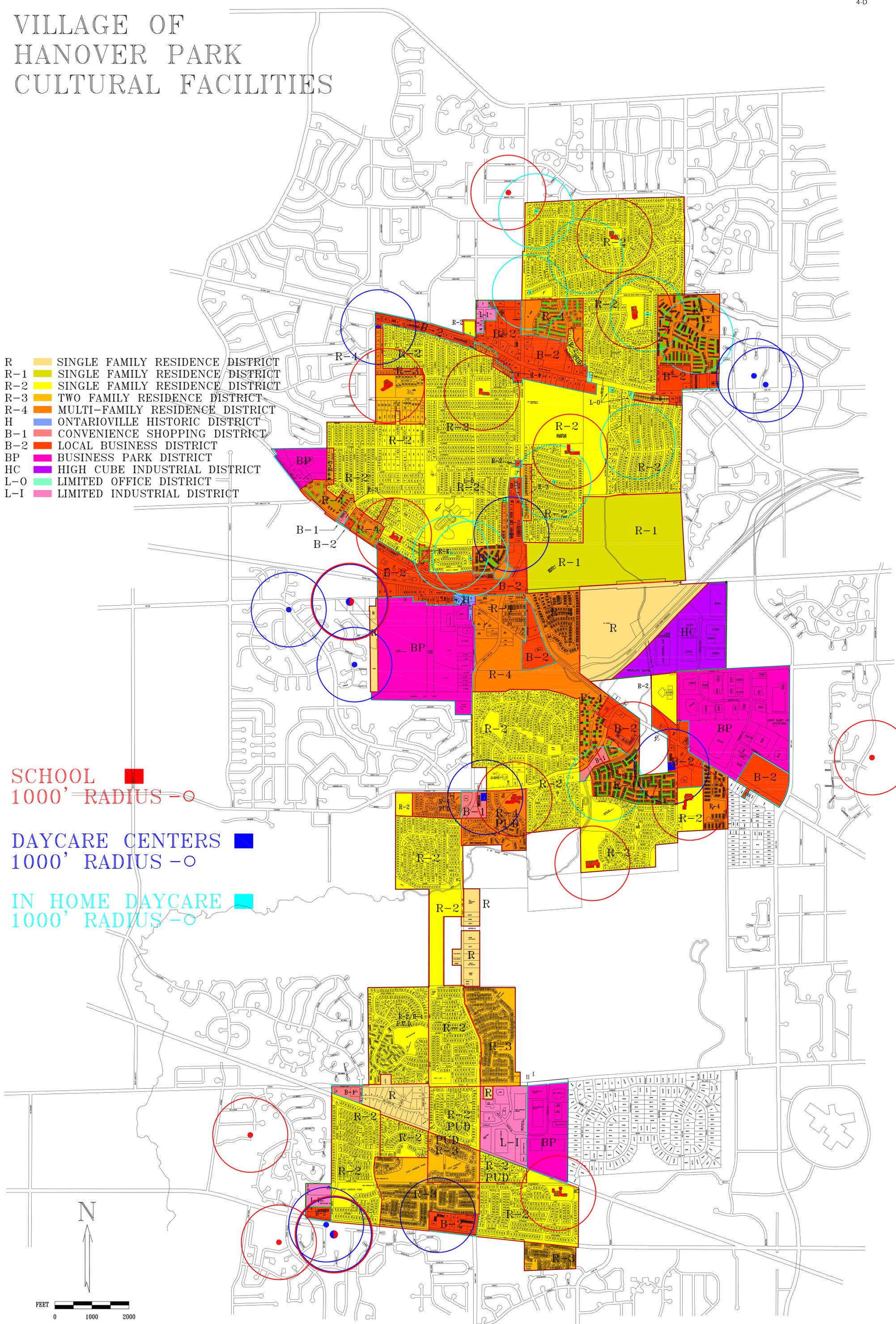
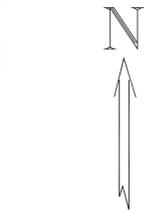
VILLAGE OF HANOVER PARK CULTURAL FACILITIES

- R SINGLE FAMILY RESIDENCE DISTRICT
- R-1 SINGLE FAMILY RESIDENCE DISTRICT
- R-2 SINGLE FAMILY RESIDENCE DISTRICT
- R-3 TWO FAMILY RESIDENCE DISTRICT
- R-4 MULTI-FAMILY RESIDENCE DISTRICT
- H ONTARIOVILLE HISTORIC DISTRICT
- B-1 CONVENIENCE SHOPPING DISTRICT
- B-2 LOCAL BUSINESS DISTRICT
- BP BUSINESS PARK DISTRICT
- HC HIGH CUBE INDUSTRIAL DISTRICT
- L-0 LIMITED OFFICE DISTRICT
- L-1 LIMITED INDUSTRIAL DISTRICT

SCHOOL ■
1000' RADIUS - ○

DAYCARE CENTERS ■
1000' RADIUS - ○

IN HOME DAYCARE ■
1000' RADIUS - ○



Govind, Shubhra

From: philip mcbride <philip.mcbride@gmail.com>
Sent: Thursday, February 13, 2014 4:26 PM
To: Bowman, Katie; Govind, Shubhra
Cc: Mullen, Regina
Subject: Feb 13 2014 - Development Meeting - Marijuana Dispensaries and Cultivation sites.

Hi Katie / Shubhra. Sorry that I will not be able to attend the Development Meeting tonight.

For those of you on the commission that I have not met - Greetings. My family and I have lived in Hanover Park for 32+ years, owned a business here for 20 years and raised three children. Value of the home we could purchase, safety of the neighborhoods and quality schools were what attracted us to come here initially. The good neighbors and environment are what kept us here all these years.

Hanover Park has been very good to us as far as generally trying to do the right thing for the residents and businesses. am not a fan of big government or over reaching rules and bureaucracy but I am a huge fan of structured development and common sense ordinances. (This is where you come in...)

After nineteen years of sitting in the seats that you now occupy, I have learned a thing or two. I have read staffs recommendations and overall agree with most of them. Staff is to be complimented on doing a thorough job. The following list of bullet points is for your consideration.

- Once the Genie is out of the bottle - he/she never goes back. I urge you to be as restrictive as possible (similar to adult use at a minimum).
- There are **always** unintended consequences. (IE do not allow the sale of drug paraphernalia in addition to cannabis) (Police enforcement costs etc)
- While this whole thing is being forced on our village by the state; we should exercise all the prudent and legal local home rule restrictions possible.
- When amending the zoning assume that Illinois will in fact legalize cannabis at some point due to tax revenue.
- Dispensaries should be in stand alone buildings and I feel that the staffs recommendations of 1000' should be increased as much as is allowable (2500')
- Some people may object to dispensaries being in industrial parks rather than retail establishments and feel that it makes it more difficult for those suffering medical conditions to get their prescription. I would submit that it only takes a few minutes to drive all the way from one edge of our village to the other. The location as far as accessibility is really not a factor. The proximity and exposure to our children is a factor. Ask someone who has been to Colorado lately about the dramatic increase in the number of "head shops".

The Commission members have been appointed by the Village President to represent the people of our village. I would respectfully ask that regardless of your personal opinions and bias to consider what is the greatest good for the most number of people who live in and visit our village. Your recommendations to the board provide valuable direction and insight for our village trustees. Thank you for being involved and giving of your time and effort on the commission.

Regards,.

--

Philip Mc Bride
Realtor – GRI, SRES, SFR, CIAS

Board Workshop Meeting
April 3, 2014 Page 28



Village of Hanover Park Administration

Municipal Building
2121 Lake Street
Hanover Park, IL 60133-4398

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EDWARD J. ZIMEL, JR.

VILLAGE MANAGER
JULIANA A. MALLER

VILLAGE OF HANOVER PARK

DEVELOPMENT COMMISSION Regular Meeting

Municipal Building, Village Board Room 214
2121 W. Lake Street
Hanover Park, IL 60133

Thursday, February 13, 2014
7:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairperson Wachsmuth called the meeting to order at 7:00 p.m.

PRESENT: Commissioners: James Aird, Mark Mercier, Gary Rasmussen,
Patrick Watkins, Chairperson Virginia
Wachsmuth

ABSENT: Commissioners: Arthur Berthelot, Scot Neil
ALSO PRESENT: Director Shubhra Govind, Secretary Regina
Mullen

2. PLEDGE OF ALLIEGENCE:

3. ACCEPTANCE OF AGENDA:

Motion by Commissioner Mercier to accept the Agenda, seconded by Commissioner Rasmussen.

Voice Vote:

All AYES.

Motion Carried: Agenda Accepted.

4. PRESENTATIONS/REPORTS: None.

5. APPROVAL OF MINUTES:

5-a. Workshop minutes of January 16, 2014.

Motion by Commissioner Mercier to approve the Workshop minutes, seconded by Commissioner Rasmussen.

Voice Vote:

All AYES.

Motion Carried: Approved Workshop Minutes of January 16, 2014.

6. ACTION ITEMS:

6-a. Public Hearing: Continued from meeting of December 12, 2013.

Consideration of a text amendment pursuant to the Public Act 098-0122 cited as the Compassionate Use of Medical Cannabis Pilot Program Act, on the question of whether the Zoning Ordinance should be amended to include Distribution Facilities as a Special Use or whether the Zoning or District Map should be changed.

Motion by Commissioner Mercier to continue Public Hearing, second by Commissioner Aird.

Voice Vote:

All AYES.

Motion Carried. Public Hearing continued.

Director Govind: Noted an email received from CONECT Committee member Phil McBride on February 13, 2014. A hard copy was placed on the dais for all Commissioners to consider. This email will be considered part of public testimony.

Following Commission review of staff recommendations at their Regular meetings of November 14 and December 12, 2013, and their workshop of January 16, 2014, staff has prepared a summary of Commission recommendations.

Issue: What zoning districts should these uses be allowed in?

Staff recommendation: Dispensing facilities be permissible in certain industrial districts. Additionally, these facilities be located at least 1000-ft from a residential use or any area zoned for residential use. Staff also recommended that a Dispensing Facility be located at least 1,000 feet from another dispensing facility, to discourage concentration in any geographical area.

Development Commission: Majority of the Commission members felt the use should be allowed in business and/or industrial districts, and Dispensing Facilities should be located at

least 1,000 ft. from another dispensing facility to discourage concentration in any geographical area.

Chairperson Wachsmuth agreed with staff recommendation, allowing only such use in industrial districts.

Director Govind noted a discussion with the CONECT Committee (Committee on Networking, Education and Community Teamwork). Committee members agreed, as business owners, they would not want this type of business located next to their business. From an economic development business perspective, there is the possibility that a business may choose not to locate next door to one of these facilities. It is going to impact business recruitment.

Chairperson Wachsmuth asked if any of the CONECT members own a business in the industrial district.

Director Govind: None of the CONECT members own businesses in the Industrial District.

Issue: **Should they be allowed as permitted, special or conditional uses?**

Staff recommendation: Cultivation Centers and Dispensing Facilities be Special Uses in Industrial Districts.

Development Commission: Commissioners agreed with staff, as it should be a Special Use.

Issue: **Should specific criteria be developed to evaluate potential locations?**

Staff recommendation: Please see below a list of recommended criteria for the above mentioned issues.

Development Commission: The Commission did not see a need for specific criteria.

Director Govind: Noted the state, in their rules and regulations, may have their own criteria including: requirements for security cameras viewable at all times, inventory control, etc.

Issue: **Should these be stand-alone buildings or is it acceptable for these uses to be located in a multi-tenant building?**

Staff recommendation: That the use be located in stand-alone buildings, instead of a multi-tenant building, and that no drive-through be allowed.

Development Commission: The Commission unanimously stated either stand-alone or multi-tenant building will be acceptable. A majority of the Commission also stated that drive-through was acceptable.

Director Govind noted that the state has certain requirements for caregivers, such as a Caregiver ID card.

Issue: **Should retail of paraphernalia (to enable patients to ingest the medication) be permitted within the dispensaries?**

Staff recommendation: Per the Police Department's recommendation, no drug paraphernalia be allowed to be sold at the Dispensing Facilities.

Majority of Commissioners recommended allowing the retail sale of drug paraphernalia to enable patients to ingest the medication.

Director Govind enquired of the Commission if the sale of drug paraphernalia should be limited by square footage. For instance, Naperville has limited the square footage of the retail sale of drug paraphernalia to be 10% of the total.

Development Commission: Majority of Commissioners recommended 10% of square footage in floor space for the sale of drug paraphernalia, with Commissioners Mercier and Aird recommending no limitation.

Issue: **Should there be any specific restrictions/requirements related to signage for the dispensaries?**

Staff recommendation: Signs shall not include any realistic or stylized graphical representation of the cannabis plant or its parts or any realistic or stylized graphical representation of drug paraphernalia. Signs shall not include any wording that would identify the property as a medical marijuana dispensary or use clinical, botanical or slang terms for cannabis, cannabis consumption, cannabis intoxication or drug paraphernalia including but not limited to “cannabis”, “marijuana”, “weed”, “pot”, “420”, “joint”, “Mary Jane”, “ganja”, “hash”, “herb”, “bong”, etc.

Development Commission: Agreed with staff recommendation. Noting that signage is to be primarily for identification purposes.

Director Govind stated staff is working with the Village attorney to determine whether to dedicate a separate Chapter in our Zoning Code on Medical Cannabis Cultivation Centers and Dispensaries, as some municipalities have done, or should these be dispersed throughout the Zoning Code in terms of definitions, location requirement, Zoning Districts, etc.

Chairperson Wachsmuth read, for the record under public comment, an email received by Director Govind and Planner Bowman on February 13, 2014 from resident, business owner and CONECT Committee member Phil McBride in terms of keeping the use of Medical Cannabis away from our main, most highly visible, commercial areas, restricting them to industrial areas with a distance requirement from residential.

Director Govind stated Mr. McBride’s comments are a reflection of the feedback received from the CONECT meeting members at their regular meeting of February 11, 2014.

Director Govind reviewed this Commission’s recommendations relating to the issues discussed at this meeting, and advised the Commission that all recommendations by staff and this Commission will be forwarded to the Village Board at an upcoming Board meeting for their consideration.

Commission Mercier questioned whether it is typical to send staff recommendations to the Village Board along with Commission recommendations.

Director Govind stated, usually staff recommendations and the Commission’s recommendations are closely aligned and it has not been necessary to provide both

recommendations. In this case, we want to provide the Village Board with all recommendations for their consideration at an upcoming Board meeting..

Director Govind stated she would send her report to the Development Commission prior to sending it to the Village Board.

Chairperson Wachsmuth entertained a Motion:

Motion by Commissioner Mercier to close the taking of public testimony and close the public hearing, seconded by Commissioner Aird.

Roll Call Vote:

AYES:	Commissioners:	Aird, Mercier, Rasmussen, Watkins, Chairperson Wachsmuth.
NAYS:	Commissioner:	None.
ABSENT:	Commissioners:	Bethelot, Neil.

Motion Carried. Closed the Public Hearing and taking of public testimony.

Chairperson Wachsmuth, for the record, noted her recommendation to limit this type of use to the Industrial District.

Chairperson Wachsmuth entertained a Motion.

Motion by Commissioner Mercier to forward recommendations to the Village Board for their consideration, seconded by Commissioner Rasmussen.

Roll Call Vote:

AYES:	Commissioners:	Aird, Mercier, Rasmussen, Watkins, Chairperson Wachsmuth.
NAYS:	Commissioner:	None.
ABSENT:	Commissioners:	Bethelot, Neil.

Motion Carried. Present Commission recommendations to the Village Board for their consideration.

7. TOWNHALL SESSION: No one present.

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.

8. OLD BUSINESS (NON-ACTION) ITEMS: None.

9. NEW BUSINESS (NON-ACTION) ITEMS:

9-a. Community Development Update – Director Govind

i. **Signage** – At our next meeting we will discuss updates to our signage codes.

- ii. **RTA/ULI** – The Village was awarded a no-cost grant consisting of a panel of development experts from RTA (Regional Transportation Authority) and ULI (Urban Land Institute), to discuss our TOD (Transportation Oriented Development) area. A half-day session was held with the panel to focus on the north side of Lake Street and future developments. Upon receipt of a report from the RTA/ULI it will be forwarded to this Commission and presented to the Village Board.

Chairperson Wachsmuth suggested staff share this report with the property owners in this area.

- iii. **Shop Local** – Staff is initiating a Shop Local program offering businesses the opportunity to offer a coupon (dollar savings) to residents through our Village May/June 2014 *HiLighter* newsletter.
- iv. **Harbor Freight** – Received their IDOT permit but are waiting for their MWRD permit.
- v. **Discount Tire** – Will hold a ribbon cutting in the spring.
- vi. **Sandpiper Court** – Façade is nearing completion. (NW corner of Army Trail and County Farm Roads)
- vii. **Wendy’s and Spring Garden restaurants** – Currently up for sale.
- viii. **Ace Hardware in Carol Stream** – Village is working on recruitment.

Commissioner Mercier noted his appreciation to our Public Works Department for their efforts in keeping the streets clear of snow.

10. **ADJOURNMENT:**

Motion by Commissioner Mercier to adjourn, seconded by Commissioner Aird.

Voice Vote:

All AYES.

Motion Carried: Meeting adjourned at 8:17 p.m.

Recorded and Transcribed by:

Regina Mullen, Secretary
this 13th day of February 2014

Virginia Wachsmuth, Chairperson

ZONING REQUIREMENTS IN OTHER MUNICIPALITIES (AS OF 1/10/14)

Municipality	Zoning Dist. permissible in	Permitted/Special/Conditional	Additional restrictions
Addison	M2 – General Manufacturing	CC: P DF: P	-
Villa Park	M-1 Light Industrial	CC: C DF: C	-
Woodridge	RBC – Regional Business Center (Office/warehouse/industrial)	DF: P	-
Naperville	CC: RD – Research Dev. ORI – Office Res Lt. Ind. I – Industrial DF: B2 Comm. Shopping Ctr. HS – Health Services RD - Research Dev. ORI – Office Res Lt. Ind. I – Industrial	Cultivation Centers: Conditional in RD, ORI & I Dispensing Facilities: Conditional in B2 & HS Permitted in RD, ORI & I	In addition to state regs: 250-ft from Residential No drive-thru Parking regs Primary use in bldg. Limited retail as accessory Additional security cameras, lighting, etc. could be required Compliance affidavit required
Bartlett	I-1 Light Industrial I-2 Eco Dev Area Overlay	Special use in both	-
Lombard	O- Office	DF: Conditional	Prohibits smoking marijuana in 'smoking establishments'
Roselle (In Process)	ORI – Office Res Lt. Ind. M – Limited Industrial	Not decided at this time	-
Itasca	M - Manufacturing	Special Use	Will have special parking regs.

DUPAGE MAYORS AND MANAGERS CONFERENCE*an association of municipalities representing 1,000,000 people*

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 Winfield
 Wood Dale
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December 31, 2013

To: DMMC Mayors/Presidents, Managers/Administrators
 From: Dave Fieldman, Director, DMMC Managers Committee
 Re: Medical Marijuana Municipal Report

Attached is the DMMC report: *Medical Marijuana – What You Need to Know*.

Also attached are the compiled survey responses submitted by DMMC members on this issue. Members are encouraged to submit their responses if they have not already done so, and to update their information with any changes.

The report is similar in format to the *Concealed Carry – What You Need to Know* report which this Committee recently issued. However, there are several differences between these issues that are worth noting:

- Most municipalities already have ordinances and policies in place which relate to use, possession, distribution and/or manufacturing of marijuana. As a result, there is a need not only to institute new laws and policies but also to review and amend existing ones.
- Illinois is an early adopter of state medical marijuana legislation, but was one of the last to implement a concealed carry statute. As a result, there is much less historic guidance available for this issue.
- State statutes relating to medical marijuana are more multifaceted and varied than those relating to concealed carry, so that court rulings from other states, of which there are very few, are of quite limited application in Illinois.
- Finally, unlike the Department of State Police draft rules which are available to guide implementation of concealed carry, the three state departments (Agriculture, Public Health, and Financial and Professional Regulation) directed to establish rules for various aspects of medical marijuana have given no indication of what these rules may contain or when they may be available for review.

As a result of these distinctions, the medical marijuana issue will certainly evolve in substantive ways over the coming months. This report should be read in that light.

Finally, I wish to thank the members of the Medical Marijuana Working Group whose dedicated efforts in a very short period of time made this report possible: Group Leader Joe Breinig, Carol Stream, Don Bastian, Carol Stream; Katie Bowman, Hanover Park; Kristen Foley, Naperville; Shubhra Govind, Hanover Park; Bob Mellor, Carol Stream; Caryl Rebholz, Carol Stream; Al Stonitsch, Glen Ellyn; and Mark Baloga, DMMC.



DuPage Mayors and Managers Conference
Medical Marijuana and Local Government: What You Need to Know
Effective Date: December 31, 2013

Disclaimer: Information provided in the following material is meant only to give general guidance. The information is not meant to replace statutory language and should not be considered legal advice.

Medical Marijuana Background

Effective January 1, 2014, the Compassionate Use of Medical Cannabis Pilot Program Act (Public Act 98-0122, the Act) will provide for the lawful use of marijuana by qualifying state residents and establish a process for the licensing and operation of cultivation centers (where marijuana will be grown) and dispensaries (where marijuana will be sold) throughout the state.

Under the Act, twenty-two cultivation centers are allowed (not more than one in each State Police district). Sixty dispensing organizations are permitted throughout the state and are not limited in number in each State Police district.

Four state agencies have responsibility for implementing the Act. The Illinois Department of Agriculture (IDOA) is charged with licensing and regulating the twenty-two cultivation centers allowed under the Act. The Illinois Department of Financial & Professional Regulation (IDPFR) is charged with licensing and regulating dispensing organizations. The Illinois Department of Public Health (IDPH) is charged with creating one system for issuing registry identification cards to Qualifying Patients and another system for physicians (who act as the gatekeepers for access to medical marijuana) for recommending patients for inclusion in the registry.

Each state agency is currently developing the administrative rules needed to implement its section of the Act. These administrative rules are to be filed with the Joint Commission on Administrative Rules (JCAR) within 120 days of the effective date of the Act. The review and approval process followed by JCAR is defined by state law. The process can take three to four months. During that period, an opportunity will be provided for public comment on the proposed rules. IDOA has advised on its website that it does not anticipate accepting applications for cultivation centers until the fall of 2014. IDPFR and IDPH will be similarly

unable to act until their respective rules are finalized. Communities are encouraged to track the development of the proposed rules and comment as they feel appropriate.

1. Qualifying Patient Information

Qualifying Patients may obtain up to 2.5 ounces of medical marijuana in a 14 day period from an authorized dispensary. IDPH may grant a waiver allowing the possession of more than 2.5 ounces in a 14 day period. Marijuana used in marijuana infused products is counted toward the limit on the total amount of marijuana a Qualifying Patient may possess at one time.

To become a Qualifying Patient, an individual must be diagnosed by a physician as having a debilitating medical condition. Debilitating medical conditions are defined in the Act. An individual may petition IDPH for the addition of new debilitating conditions or treatments. IDPH will develop a process for considering these petitions. It should be noted that legislation has already been introduced to modify the list of debilitating medical conditions articulated in the Act. Under the Act, a physician is limited to a doctor of medicine or osteopathy with a current controlled substances license. No other licensed profession, including dentists, may recommend a patient for medical marijuana.

Only Illinois residents meeting the program requirements can participate in the program. There is no reciprocity with programs in other states.

IDPH will issue registry cards to Qualifying Patients and maintain a registry of Qualifying Patients. The infrastructure to implement this part of the Act is under development with the administrative rules. The registry will be accessible to each police department in the state through the LEADs database. In addition, IDPH is to notify the Secretary of State of card holder status for inclusion into the driving records of Qualifying Patients.

2. Land Use and Zoning Regulations

What You Need to Know

- "Cultivation center" is a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. Cultivation centers may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility, or an area zoned for residential use.
- "Dispensary" is a facility operated by an organization or business that is registered by the IDFPR to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. Dispensaries may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or

elementary or secondary school or day care center, day care home, group day care home or part day child care facility and may not be located in any area zoned for residential use.

- Communities may enact reasonable zoning ordinances or resolutions that do not conflict with the Act or its regulations; however, their home rule authority is pre-empted. Cultivation centers and dispensaries must demonstrate compliance with local zoning prior to authorization by the respective state agencies.
- An outright ban on either cultivation centers or dispensaries is not likely to survive a legal challenge.

What You Should Do

- Identify and map the schools, day care facilities, child care facilities, and residential land uses in your municipality to determine where cultivation centers and dispensaries may be sited.
- Contact the Illinois Department of Children and Family Services for information on licensed day care facilities in your municipality.
- Familiarize yourself with schools, day care facilities, child care facilities, and residential land uses in adjoining communities and map the statutory setbacks for those facilities and uses.
- Determine whether the cultivation center or dispensary uses should be identified as permitted, special, or conditional uses under their zoning ordinance. Designation as a permitted use will likely result in one text amendment and no opportunity for future public comment, whereas a special or conditional use will require petitions or applications to be handled on a case-by-case basis and allow for continued public comment.
- Consider defining these specific uses in the zoning ordinance versus drawing analogies or comparisons to other uses such as drug stores.
- In assessing petitions from a cultivation center or dispensary to locate within an allowable zoning district, consider the impact of other activities on the premises. Paraphernalia, for example, may be sold in an establishment as a means for the delivery of the medical marijuana to the patient. Reasonable restrictions on floor area for other activities such as retail sales or prohibitions on sales from stock rooms might also need evaluation and consideration.
- Tracking development of the state's administrative rules being developed for cultivation centers and dispensaries will help inform municipalities on the timeframe within which municipalities must take action, especially in regard to zoning. The state departments have up to 120 days after January 1, 2014 to propose their respective rules. Some municipalities are considering moratoria on accepting applications for these facilities; the DMMC Managers Committee makes no recommendation or analysis of the enforceability of such an action. However, it seems clear that the lag in adoption of state rules gives additional time for municipalities to consider what actions they will take.

3. Police Enforcement Activities

What You Need to Know

- Qualifying Patients must be 18 years of age or older.
- Qualifying Patients are limited in the locations in which they can smoke. Smoking is prohibited in any indoor place where smoking is prohibited by the Smoke-free Illinois Act, in motor vehicles, on school grounds, and in any public place where a patient could be observed by others.
- Employers may prohibit the use of medical marijuana on their premises.
- Neither the driver nor any passenger can use medical marijuana while operating motor vehicle on a highway. If there is a suspicion of driving under the influence of medical marijuana, impairment will need to be shown through standardized field sobriety tests. No objective standard akin to the 0.08% blood alcohol content for alcohol exists for marijuana impairment. Possession of a registry card alone does not constitute reasonable suspicion of impairment.
- Medical marijuana must be stored in a sealed, tamper evident container while in a motor vehicle.

What You Should Do

- Examine your existing ordinances for paraphernalia it relates to medical marijuana sales, possession and use.
- Evaluate existing training programs and consider modifications to address the presence of medical marijuana in the community.

4. HR Procedures and Actions

What You Need to Know

- Employers cannot discriminate against employees for being a Qualified Patient.
- As noted previously, employers may prohibit the use of medical marijuana on their premises. Provided that the policy is applied in a non-discriminatory manner, employers can enforce a drug free workplace policy. Employers who do not prohibit the use of medical marijuana may adopt reasonable regulations concerning the consumption, storage or timekeeping requirements for Qualifying Patients.
- Employers can discipline an employee for failing a drug test if failing would put the employer in violation of federal law or cause it to lose a federal contract or funding. Employers are encouraged to review grant agreements and other contracts for provisions addressing drug use in the workplace. Employees can be disciplined for violating a workplace drug policy. The Act does not exempt holders of CDL licenses from random drug testing, nor does it protect them from the consequences of failed tests. Qualified Patients can be disciplined in a non-discriminatory manner.

- Qualifying Patients will test positive. No objective standard exists for marijuana impairment.
- The Act does not create a cause of action for:
 - Actions based on the employer’s good faith belief that a registered Qualifying Patient used or possessed marijuana while on the employer’s premises or during the hours of employment;
 - Actions based on the employer’s good faith belief that a registered Qualifying Patient was impaired while working on the employer’s premises during the hours of employment; or
 - Injury or loss to a third party if the employer neither knew nor had any reason to know that the employee was impaired.
- The above immunities are not absolute nor have they been tested in court.
- Implications of the Act with respect to the Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA) and other employment related laws are yet to be determined. For example, the relationship between a “serious health condition” under the FMLA and “debilitating medical condition” in the Act is unclear.

What You Should Do

- Employers should evaluate existing policies for drug use in the workplace and make revisions as necessary to address medical marijuana concerns including, but not limited to on premises use, on premises possession, workplace impairment, circumstances for testing, and workplace safety. Policies should be placed in writing and incorporated into personnel rules and negotiated into collective bargaining agreements.
- Since there is no objective standard for marijuana impairment, employers should rely upon objective, observable factors when addressing suspected impairment. These factors will likely be similar to those for impairment due to alcohol or prescription or illegal drug use.
- Employers can require employees to provide notification of medical marijuana use; however employees cannot be penalized solely for being a Qualified Patient.
- Since implications of the Act with respect to the FMLA, ADA, and other employment related laws are yet to be determined, employers are urged to consult their legal counsel when confronted with employment related matters concerning medical marijuana.
- No insurance provider has yet been identified that plans to consider medical marijuana as a covered expense, but employers may wish to consult their medical insurance providers in this regard.
- Employers are advised to develop policies related to how medical marijuana will be addressed in any self-managed flexible spending account or other similar medical expense payment system.

DMMC Medical Marijuana Survey	Addison	Bloomingdale	Carol Stream
1) Has your municipality approved any zoning changes to address Medical Marijuana cultivation centers or dispensing organizations?	Yes	No	No
2) If your municipality has not yet approved any zoning changes, are such changes being considered?	Yes	No	Yes
Comments	No Response	Still trying to figure out the ramifications of new law.	Staff is evaluating options for both cultivation centers and dispensaries. We've mapped statutory setbacks and will utilize that in our decision making. The lead time for the state to generate its rules seems to take some of the pressure off to act immediately.
3) In which zoning district(s) does your new or proposed ordinance allow Medical Marijuana cultivation centers?	M-2	N/A	Undetermined
4) Briefly describe the zoning district(s) listed in your answer to the prior Question.	General Manufacturing District	N/A	N/A
5) In which district(s) does your new or proposed ordinance allow Medical Marijuana dispensing organizations?	M-2	N/A	Undetermined
6) Briefly describe the zoning district(s) listed in your answer to the prior Question.	General Manufacturing District	N/A	N/A
7) Does your new or proposed ordinance designate Medical Marijuana cultivation center as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	Permitted Use	N/A	Undetermined
8) Does your new or proposed ordinance designate Medical Marijuana disbursement organizations as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	Permitted Use	N/A	Undetermined

DMMC Medical Marijuana Survey	Addison	Bloomingdale	Carol Stream
9) Briefly describe the rationale behind the selections made by your municipality as described in the prior Questions.	We use the M2 classification to zone potentially problematical uses in order to keep them out of commercial centers. These include such uses as title loans, tattoo shops, pawn shops, payday loans, day labor, and adult uses.	N/A	N/A
10) Does your new or proposed ordinance refer expressly to Medical Marijuana cultivation or dispensing as a use, OR include Medical Marijuana cultivation or dispensing within a more general use. Comments.	Separate Use	N/A	Undetermined
11) Does your new or proposed ordinance include restrictions on non-Medical Marijuana retail sales at Medical Marijuana dispensing organizations?	No, only what was permitted by statute	N/A	Undetermined, but something of concern. In addition, having dealt previously with bath salts being sold from behind the counter/backroom we may address storage/inventory areas.
12) Has your municipality amended, or is your municipality considering amending, personnel rules or policies to address employees who qualify to purchase and use Medical Marijuana?	No	Yes	Yes
13) Has your municipality considered any employee training or notifications as a result of the Compassionate Use of Medical Cannabis Pilot Program Act?	Yes - Our HR Director has advised staff as to how to handle situations with employees who may have access to medical marijuana.	No	Yes - Nothing formal yet but under contemplation.
14) Has your municipality amended the municipal code to decriminalize marijuana possession and/or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No
15) Has your municipality amended the municipal code regarding the sale or possession of drug paraphernalia particularly as it relates to the use of Medical Marijuana?	No	No	No
16) Has your municipality made any changes to code or policy regarding prosecution of cannabis possession or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No
17) Please list any additional issues or impacts, you or your municipality have identified related to Medical Marijuana cultivation centers or dispensing organizations:	No Response	No Response	No Response

DMMC Medical Marijuana Survey	Elmhurst	Hanover Park	Hinsdale	Itasca
1) Has your municipality approved any zoning changes to address Medical Marijuana cultivation centers or dispensing organizations?	No	No	No	No
2) If your municipality has not yet approved any zoning changes, are such changes being considered?	No	Yes	Yes	Yes
Comments	No Response	A Public Hearing was initiated 11/14/13 and is currently open to enable input from staff and public.	Hinsdale is reviewing this matter and once the applicability to the Village is determined may take the additional steps identified below. At this point it is premature to respond to this level of detail.	Yes, the Itasca Plan Commission is holding a public hearing on the subject on Nov. 20
3) In which zoning district(s) does your new or proposed ordinance allow Medical Marijuana cultivation centers?	N/A	Not decided at this time.	N/A	M – Manufacturing District
4) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	N/A	N/A	M - Manufacturing District allows for various manufacturing and warehouse uses. Also only district in which adult uses are allowed.
5) In which district(s) does your new or proposed ordinance allow Medical Marijuana dispensing organizations?	N/A	Not decided at this time.	N/A	M – Manufacturing District
6) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	N/A	N/A	M - Manufacturing District allows for various manufacturing uses. Also only district in which adult uses area allowed.
7) Does your new or proposed ordinance designate Medical Marijuana cultivation center as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	Not decided at this time.	N/A	Special Use - Village Board wants to formally review each proposal for special requirements, such as security.
8) Does your new or proposed ordinance designate Medical Marijuana disbursement organizations as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	Not decided at this time.	N/A	Special Use - Village Board wants to formally review each proposal for special requirements, such as security.

DMMC Medical Marijuana Survey	Elmhurst	Hanover Park	Hinsdale	Itasca
9) Briefly describe the rationale behind the selections made by your municipality as described in the prior Questions.	N/A	N/A	N/A	Until more communities in Illinois have experience with medical marijuana facilities, Itasca wishes to treat them like we do adult uses.
10) Does your new or proposed ordinance refer expressly to Medical Marijuana cultivation or dispensing as a use, OR include Medical Marijuana cultivation or dispensing within a more general use. Comments.	N/A	N/A	N/A	Separate Use
11) Does your new or proposed ordinance include restrictions on non-Medical Marijuana retail sales at Medical Marijuana dispensing organizations?	N/A	N/A	N/A	No
12) Has your municipality amended, or is your municipality considering amending, personnel rules or policies to address employees who qualify to purchase and use Medical Marijuana?	No	No	Yes	Yes
13) Has your municipality considered any employee training or notifications as a result of the Compassionate Use of Medical Cannabis Pilot Program Act?	No	No	No Response	Yes - Being developed now
14) Has your municipality amended the municipal code to decriminalize marijuana possession and/or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No Response	No
15) Has your municipality amended the municipal code regarding the sale or possession of drug paraphernalia particularly as it relates to the use of Medical Marijuana?	No	No	No Response	No
16) Has your municipality made any changes to code or policy regarding prosecution of cannabis possession or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No Response	No
17) Please list any additional issues or impacts, you or your municipality have identified related to Medical Marijuana cultivation centers or dispensing organizations:	No Response	No Response	No Response	Under zoning ordinance - we are also addressing parking requirements by specifically listing parking requirements for medical marijuana dispensaries and medical marijuana cultivation centers, so it is not open to interpretation.

DMMC Medical Marijuana Survey	Lisle	Naperville	Roselle
1) Has your municipality approved any zoning changes to address Medical Marijuana cultivation centers or dispensing organizations?	No	No	No
2) If your municipality has not yet approved any zoning changes, are such changes being considered?	No	Yes	Yes
Comments	No Response	No Response	Public hearing occurs on 11/19/13 before the Planning & Zoning Commission
3) In which zoning district(s) does your new or proposed ordinance allow Medical Marijuana cultivation centers?	N/A	Industrial	Limited Industrial(M)and Light Industrial(all ORI)
4) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	Industrial - mostly light commercial, also have stuck a microbrewery into this zoning classification	Limited industrial is our manufacturing district. It allows outside storage. Light Industrial (all ORI) applies to our districts that are primarily big box office/warehouse facilities with no outside storage. Deliberation may narrow it down to only being allowed in a Limited Manufacturing District (M).
5) In which district(s) does your new or proposed ordinance allow Medical Marijuana dispensing organizations?	N/A	Industrial	Limited Industrial(M)and Light Industrial(all ORI)
6) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	We don't have "medical" in Naperville, want to keep it away from "Main Street"	Limited industrial is our manufacturing district. It allows outside storage. Light Industrial (all ORI) applies to our districts that are primarily big box office/warehouse facilities with no outside storage.
7) Does your new or proposed ordinance designate Medical Marijuana cultivation center as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	Permitted Use - State ordinance basically ensures Naperville will not get one based on prohibited radii.	Special Use – Deliberation could change it to a Permitted Use
8) Does your new or proposed ordinance designate Medical Marijuana disbursement organizations as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	Permitted Use - Council is split on this one, but looks like there are legs to put it through as a permitted use in Industrial.	Permitted Use – Deliberation could change it to a Special Use

DMMC Medical Marijuana Survey	Lisle	Naperville	Roselle
9) Briefly describe the rationale behind the selections made by your municipality as described in the prior Questions.	N/A	Not much concern about cultivation centers based on state ordinance prohibitions for schools. On the "disbursement organization" front, we have a couple of councilman who are supportive of the medical value of the drug and would like to have it be marketed with other holistic medicines.	It was based upon available land inventory, areas that minimize the impact of what would be perceived as a less than desirable use. We also considered locations of schools and churches and the necessity to provide some legitimate areas for these two uses.
10) Does your new or proposed ordinance refer expressly to Medical Marijuana cultivation or dispensing as a use, OR include Medical Marijuana cultivation or dispensing within a more general use. Comments.	N/A	Within General Use	Separate Use - We called it out as a separate use.
11) Does your new or proposed ordinance include restrictions on non-Medical Marijuana retail sales at Medical Marijuana dispensing organizations?	N/A	Not Sure - headed to Plan Commission first	It does not.
12) Has your municipality amended, or is your municipality considering amending, personnel rules or policies to address employees who qualify to purchase and use Medical Marijuana?	No	Yes	No
13) Has your municipality considered any employee training or notifications as a result of the Compassionate Use of Medical Cannabis Pilot Program Act?	No	Yes - Haven't written the regs yet, but will need to make changes.	No
14) Has your municipality amended the municipal code to decriminalize marijuana possession and/or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No - Not yet	No
15) Has your municipality amended the municipal code regarding the sale or possession of drug paraphernalia particularly as it relates to the use of Medical Marijuana?	No	No - Not yet	No
16) Has your municipality made any changes to code or policy regarding prosecution of cannabis possession or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No - Not yet	No
17) Please list any additional issues or impacts, you or your municipality have identified related to Medical Marijuana cultivation centers or dispensing organizations:	No Response	No Response	No Response

DMMC Medical Marijuana Survey	St. Charles	Villa Park	Wayne	West Chicago
1) Has your municipality approved any zoning changes to address Medical Marijuana cultivation centers or dispensing organizations?	No	No	No	No
2) If your municipality has not yet approved any zoning changes, are such changes being considered?	No	Yes	No	No
Comments	No Response	Already made changes	No Response	No Response
3) In which zoning district(s) does your new or proposed ordinance allow Medical Marijuana cultivation centers?	N/A	M-1	Presumably District B	N/A
4) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	Industrial Zone	Business	N/A
5) In which district(s) does your new or proposed ordinance allow Medical Marijuana dispensing organizations?	N/A	M-1	B	N/A
6) Briefly describe the zoning district(s) listed in your answer to the prior Question.	N/A	Industrial Zone	Business - Local Shopping	N/A
7) Does your new or proposed ordinance designate Medical Marijuana cultivation center as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	No Response	Not Sure	N/A
8) Does your new or proposed ordinance designate Medical Marijuana disbursement organizations as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	N/A	Other Use – Conditional Use	Not Sure	N/A

DMMC Medical Marijuana Survey	St. Charles	Villa Park	Wayne	West Chicago
9) Briefly describe the rationale behind the selections made by your municipality as described in the prior Questions.	N/A	Village wants to control locations	N/A	N/A
10) Does your new or proposed ordinance refer expressly to Medical Marijuana cultivation or dispensing as a use, OR include Medical Marijuana cultivation or dispensing within a more general use. Comments.	N/A	No Response	N/A	N/A
11) Does your new or proposed ordinance include restrictions on non-Medical Marijuana retail sales at Medical Marijuana dispensing organizations?	N/A	No - Conditional Use.	N/A	N/A
12) Has your municipality amended, or is your municipality considering amending, personnel rules or policies to address employees who qualify to purchase and use Medical Marijuana?	Yes	No	No	Yes
13) Has your municipality considered any employee training or notifications as a result of the Compassionate Use of Medical Cannabis Pilot Program Act?	Yes - We chose not to conduct employee training but instead to conduct supervisory training on the new policy and issues that may surround it.	No	No	Yes - We are in the initial stages of consideration
14) Has your municipality amended the municipal code to decriminalize marijuana possession and/or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	Yes	No	No - We are in the process of reviewing the ordinances and working on amendments.
15) Has your municipality amended the municipal code regarding the sale or possession of drug paraphernalia particularly as it relates to the use of Medical Marijuana?	No	Yes	No	No
16) Has your municipality made any changes to code or policy regarding prosecution of cannabis possession or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No	No - We are in the process of reviewing the ordinances and working on amendments.
17) Please list any additional issues or impacts, you or your municipality have identified related to Medical Marijuana cultivation centers or dispensing organizations:	No Response	No Response	No Response	No Response

DMMC Medical Marijuana Survey	Wheaton	Willowbrook	Woodridge
1) Has your municipality approved any zoning changes to address Medical Marijuana cultivation centers or dispensing organizations?	No	No	Yes
2) If your municipality has not yet approved any zoning changes, are such changes being considered?	Yes	Yes	Yes
Comments	No Response	No Response	Already Approved
3) In which zoning district(s) does your new or proposed ordinance allow Medical Marijuana cultivation centers?	None	None – based on state requirements	None
4) Briefly describe the zoning district(s) listed in your answer to the prior Question.	No area in Wheaton would qualify under State law.	Given the required 2,500 foot setback from schools, daycare or residential uses, a cultivation center could not be located in Willowbrook.	None
5) In which district(s) does your new or proposed ordinance allow Medical Marijuana dispensing organizations?	Manufacturing	M-1	RBC – Regional Business Center
6) Briefly describe the zoning district(s) listed in your answer to the prior Question.	No Response	Light Manufacturing	Office/warehouse/industrial
7) Does your new or proposed ordinance designate Medical Marijuana cultivation center as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	Other Use	Special Use	Other Use – N/A
8) Does your new or proposed ordinance designate Medical Marijuana disbursement organizations as: A) Permitted Use, B) Special Use, or C) Other Use (please describe)	Other Use – Haven't Decided	Special Use	Permitted Use

DMMC Medical Marijuana Survey	Wheaton	Willowbrook	Woodridge
9) Briefly describe the rationale behind the selections made by your municipality as described in the prior Questions.	No Response	Although our Plan Commission, during initial discussions, seems to support regulating dispensaries similar to a pharmacy type use (i.e. located within retail districts), the Village Board does not want such uses located in shopping centers, etc. The concern is that signage and other advertising associated with dispensaries would change the image of the Village.	Best zoning district that complies with state regs regarding use.
10) Does your new or proposed ordinance refer expressly to Medical Marijuana cultivation or dispensing as a use, OR include Medical Marijuana cultivation or dispensing within a more general use. Comments.	Separate Use	Separate Use	Separate Use
11) Does your new or proposed ordinance include restrictions on non-Medical Marijuana retail sales at Medical Marijuana dispensing organizations?	No Response	No	No
12) Has your municipality amended, or is your municipality considering amending, personnel rules or policies to address employees who qualify to purchase and use Medical Marijuana?	No	No	No
13) Has your municipality considered any employee training or notifications as a result of the Compassionate Use of Medical Cannabis Pilot Program Act?	No	Yes - We sent several employees to a recent police training session.	No
14) Has your municipality amended the municipal code to decriminalize marijuana possession and/or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No
15) Has your municipality amended the municipal code regarding the sale or possession of drug paraphernalia particularly as it relates to the use of Medical Marijuana?	No	No	No
16) Has your municipality made any changes to code or policy regarding prosecution of cannabis possession or use, particularly as it relates to individuals possessing a valid Medical Marijuana card?	No	No	No
17) Please list any additional issues or impacts, you or your municipality have identified related to Medical Marijuana cultivation centers or dispensing organizations:	No Response	No Response	No Response



Gary Walrath, CEO, Stats LLC

STEPHEN J. SERIO

The new joint venture

Local governments worry about sites for marijuana dispensaries

BY MICAH MAIDENBERG

Now that Illinois has legalized medical marijuana, the entrepreneurs who aim to profit from the law face another big challenge: finding places to grow and sell it.

Farmers aiming to raise bumper crops of purple kush and store owners who want to redefine the notion of high-street retail are seeing their real estate options, already limited by the new state law, narrow by the day.

Local governments across the Chicago area are changing their zoning laws to force prospective growers and sellers to search for space in industrial districts. They're also considering barring them from signing leases in multitenant buildings because of security concerns over the all-cash businesses.

Landlords, meanwhile, are starting to ponder whether they would rent space to a tenant cultivating or selling what the federal government considers an illegal substance.

"The more sophisticated landlords are going to do some hard thinking about the impact on other tenants, their lender covenants, the impact on their insurance coverage and whatever kind of covenants they have with their equity sources," says Andrew Scott, an attorney in the Chicago office of Dykema Gossett PLLC.

Chicago-based Sitex Group LLC, which owns around 20 industrial buildings in suburban Chicago, isn't likely to rent to a medical marijuana grower or retailer, principal Cary Goldman says. "I'm a fiduciary for a pension fund and other investors that might not be interested in

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TRACKING THEIR EVERY MOVE

Sports statistics company sees profits in new video technology

BY DANNY ECKER

If Gary Walrath can change the way people talk about basketball, he'll make his company a lot of money.

While most fans and media pundits analyze games and player performances through box score staples like points, assists and blocked shots, the CEO of Northbrook-based Stats LLC is pushing terms such as "points per touch," "rebound chances" and "secondary assists."

That's the language at the heart of SportVU, the company's player-tracking technology, which this season was installed in all 29 NBA arenas under a multiyear deal with the league.

See STATS on Page 11

He wants to be health care's go-between

Startup Avia assembles innovation squads for big hospital clients

BY JOHN PLETZ

Most people try to avoid getting caught in the middle.

Not Eric Langshur. He can't wait to get between big hospitals and startups that are trying to reinvent health care.

"Every CEO and CFO of every hospital around the country is facing pressure on reimbursement and revenue," says Mr.

Langshur, who a year ago launched Avia, a hybrid incubator and investing and consulting firm in Chicago. "No hospital board is saying, 'Let's continue business as usual.'"

The Affordable Care Act, blamed (or credited) for so much these days, isn't really what's giving Mr. Langshur his opening. Instead it's the Obama administration's earlier effort to

speed up the health care industry's switch to computerized medical records, first with financial incentives and soon with penalties for laggards. There's also the digital revolution, which makes more things possible, as well as reduced reimbursements from insurers and the government, which, in turn, are forcing cost-cutting.

The hitch for hospitals is



Eric Langshur

not evaluating early-stage companies," says Mr. Langshur, 50, Avia's CEO. "It's more efficient to let us do it."

knowing which vendor has useful technology. As for startups, it's hard to get an audience with a big institution. "Hospitals are in the business of providing care,

The startup has signed up 40 customers, mostly hospitals such as Northwestern Memorial HealthCare and UCLA Health System. They're paying Avia \$50,000 to \$250,000 annually to find new technology that can help them improve care and cut costs.

Avia also is an investor in health care startups through a holding company. It has made undisclosed investments in

See AVIA on Page 14



An employee at a Colorado marijuana dispensary prepares joints. The state allowed recreational-use sales this month.

ASSOCIATED PRESS

Pot dispensaries struggling to find sites to grow, sell

MARIJUANA from Page 3

us having that type of tenant," he says.

The Compassionate Use of Medical Cannabis Pilot Program Act took effect this month. The statute allows 22 cultivation centers to open, one in each state police district, and 60 retail dispensaries to open, spread across Illinois. Under the law, growers can't locate within 2,500 feet of schools, day care centers and residential areas,

while the retail stores are required to be at least 1,000 feet from schools and day care facilities and can't open near homes.

The law also allows local governments to enact "reasonable" ordinances to govern medical pot facilities. In Chicago, Ald. Edward Burke, 14th, and Mayor Rahm Emanuel introduced an ordinance in November that would restrict medical pot operations to manufacturing areas and require operators to secure a special land-use permit.

North suburban Lake County and its municipalities may forbid dispensaries from setting up shop in multitenant buildings. In Naperville, dispensary operators must win special approval from the city to open in commercial zoning districts. The village of Burr Ridge is restricting dispensaries to industrial areas, which include some office space, taking as much as 70 percent of the village's commercial-property inventory off the table, the town's community development director, Douglas Pollock, estimates.

"Real estate is one of the trickiest components," admits Sara Gullickson, the Illinois market representative at a consultancy called DispensaryPermits.com. The company is referring clients (36 as of last week) to Jason Hiller, a broker at Chicago-based Jameson Commercial, to find cultivation sites with up to 20,000 square feet and retail outlets as big as 10,000 square feet.

BUY, NOT LEASE

Blake Lange, 26, hopes to use his background in agriculture and lighting to win a state license to cultivate medical pot in the area. He won't share where he would locate the facility or how many square feet it would cover. He says he is planning to buy a property, in part because many landlords don't want to be associated with the industry.

"Nobody wants that going on in their building unless there's a pre-existing relationship," Mr. Lange says.

Lincolnshire pharmacist Joseph Friedman is part of a venture that hopes to open dispensaries in Deerfield, Chicago and a western suburb. He doesn't want to open them in industrial areas tucked away in hard-to-reach corners of his target markets. "This has to be a place where people want to be, want to go and feel comfortable going into," Mr. Friedman says.

After the zoning processes are settled, real estate brokers believe smaller landlords may cut deals with growers and dispensary operators, especially for space in lower-end buildings. "I think it's going to be the secondary market," says Chris Gray, vice president at Oakbrook Terrace-based NAI Hiffman, who specializes in industrial real estate.

Contact: micaahm@crain.com

CRAIN'S

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Arvind Goyal, MD, MPH, MBA

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Hoffman Estates named Code Enforcement Agency of the Year

Submitted by the village of Hoffman Estates

The village of Hoffman Estates Code Enforcement Division has been chosen by the Illinois Association of Code Enforcement Agency of the Year.

The village was recognized for using a proactive approach to property maintenance standards. Hoffman Estates adheres to the 2009 International Property Maintenance Code, ensuring health, safety and a clean environment for the community.

In 2013, the village was recognized by the International Code Council for having all

inspectors certified, a point acknowledged by the IACE in its agency award.

IACE is a membership organization that promotes professionalism through education, training and certifications to property maintenance, housing and building code enforcement officials.

A highlight of the award was Hoffman Estates' annual Clean Sweep program, where elected officials and staff participate in a full day of code enforcement inspections.

Participants "sweep" through the entire village, inspecting the streetscapes of more than 14,000 properties.

Afterward, the staff follows up on each violation, and, by

the end of the year, 99 percent of all cited concerns are resolved.

The award also recognized efficiency measures taken by Hoffman Estates, including the combination of fire inspections with commercial and multifamily property inspections, as well as the village's participation in Illinois' local debt recovery program.

Recognition was also given for the village's continued diligence in watching foreclosed properties for exterior health and safety violations.

For details on this honor, contact the Code Enforcement Division at (847) 781-2631.

Lake County examining rules^{4-D} for marijuana growers, sellers

BY RUSSELL LISSAU
rlissau@dailyherald.com

Lake County officials are considering holding a public hearing to discuss potential rules for local businesses that would grow and sell marijuana for medicinal uses.

The county board's planning, building and zoning committee favored the hearing concept during a meeting Tuesday in Waukegan. If the proposal moves forward, the county's zoning board of appeals will schedule the hearing.

A public hearing will allow people to share what are likely diverse opinions on the issue with county officials before plans are enacted, said Eric Waggoner, the county's planning director.

"Although we anticipate that potential qualifying patients throughout Lake County may welcome the idea of medical cannabis facilities in their area, the larger population may have a more cautious attitude as this is a new state law with potential impacts on communities," Waggoner said in an email.

The planning committee

also favored delaying any requests to open marijuana-related businesses in unincorporated areas for 120 days. Such moratoriums have been adopted by several communities in recent months as state, regional and local officials developed potential zoning rules for the businesses.

The full county board will vote on the public hearing recommendation and the proposed business delay when it meets Jan. 14. That session is set for 9 a.m. at the county government building in Waukegan. A date for the public hearing will be set after the votes.

The cultivation and sale of medical marijuana became legal in Illinois on New Year's Day.

The law established a maximum of 60 dispensaries and 22 cultivations centers statewide, one in each state police district. That means Lake County likely would be eligible for one such business, officials have said.

"There is a good chance that we won't even have one," county board Chairman Aaron Lawlor said in an email.

The law also allows

reasonable zoning regulations for the facilities.

A task force has developed model rules for entrepreneurs who want to open medical marijuana growing facilities and dispensaries in Lake County.

The proposals aren't binding. Rather, they're templates municipal and county officials can use when they develop local regulations.

The task force's recommendations focus on security features, parking, signs and other business-related elements.

It may be a few months until the county board is ready to adopt rules for medical-marijuana facilities, Waggoner said.

When asked his opinion of the new law, Lawlor said his personal feelings on the issue are irrelevant.

"It's state law," said Lawlor, a Vernon Hills Republican. "What's important is that we enact zoning policies that ensure medical marijuana is being used by those who have conditions that warrant it. We need to do everything we can to prevent medical marijuana from getting into the wrong hands."

Medical marijuana technically is legal in ^{4-D} Illinois today, but implementation will be slow

NOT READY YET



ASSOCIATED PRESS FILE PHOTO

Unlike in other states like Washington, Illinois isn't yet ready to go with its medical marijuana program, even though the law allowing it takes effect today.

State needs time to develop medical marijuana rules

BY MIKE RIOPELL
POLITICAL EDITOR
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The state's first medical marijuana law officially takes effect today, but people with cancer, multiple sclerosis and other diseases will have to wait another year or longer before they can use the drug to ease their pain.

Illinois officials are working through the details of how to implement the four-year pilot program, trying to decide everything from who will be allowed to grow and sell marijuana to what kind of relationship a patient has to have with a doctor to be allowed to use it.

Without approved growers and sellers, getting marijuana for medical purposes

remains illegal, despite the law becoming effective today.

"We do want to make sure we are being responsible," said Melaney Arnold, spokeswoman for the Illinois Department of Public Health.

A December statement from the Illinois Department of Financial and Professional Regulation says rules could be finished by late 2014, but Arnold said she doesn't want to make predictions because the state could get done either faster or slower.

Even if the state starts regulating growers and sellers at the end of the year, marijuana might not be available immediately. Medical marijuana sold in Illinois must be grown in Illinois, and setting

See **READY** on **PAGE 5**

Other new state laws this year

BY MIKE RIOPELL
POLITICAL EDITOR
mriopell@dailyherald.com

Many state laws that take effect today were enacted months ago, and Illinoisans recovering from weeks of holiday celebrating might have forgotten about them entirely.

But that won't be an excuse when authorities get you for talking on your cellphone in the car or underage tanning at a salon, so here's a reminder of some laws suburban lawmakers pushed that take effect today.

Tanning

Starting today, for anyone under the age of 18 to use an indoor tanning bed. Until now, Illinois allowed minors between ages 14 and 17 to use indoor tanning beds with their parents' permission.

Senate Republican Leader Christine Radogno of Lemont fought off suggestions government shouldn't be involved in such a decision and said preventing skin cancer is more important.

"When science and health care experts proved indoor tanning is a known carcinogen shown to increase the chance of melanoma by 75 percent for people under 35,

Starting today, for anyone under the age of 18 to use an indoor tanning bed. Until now, Illinois allowed minors between ages 14 and 17 to use indoor tanning beds with their parents' permission.

Board Workshop Meeting **NEW** on **PAGE 5**

Ready: Law does not allow 'medical cannabis clinics'

Continued from Page 1

up infrastructure could take time.

Medical marijuana advocates predict it will be spring 2015 before patients can be allowed to use the drug.

Dan Linn, executive director of Illinois NORML, said that can frustrate people who have been hoping to use marijuana legally.

"Especially when you're talking about cancer patients who are struggling to survive," Linn said.

Lawmakers approved the medical marijuana law in the spring, with supporters saying it includes the toughest regulations in the country. For years, the idea faced fierce opposition in Illinois, so winning narrow approval in 2013 meant putting major caveats in the new law.

Part of those controls included making the law expire after four years unless lawmakers act to extend it, all but ensuring the issue will be a political question in Illinois again soon.

The clock starts running today on that four years, not when the program gets up and running.

The law says Illinois can have 22 approved growers statewide and 60 dispensaries. In addition, people who want to use the drug must have one of a few dozen specific diseases, and approval of marijuana use must come from a doctor with whom the patient has a prior relationship.

Establishing that relationship, Linn says, is one thing Illinoisans can do now to be ready when sellers are approved.

However, Arnold said,

"We want to make sure that patients who would truly benefit from the relief of medical cannabis are not misled and physicians are not violating the law."

Manuel Flores, acting secretary of Illinois Department of Financial and Professional Regulation

how the state will define an acceptable previous relationship hasn't yet been decided.

In fact, the state several weeks ago warned people should use "extreme caution" when visiting clinics set up to help people get approval to use marijuana before the state sets rules.

"Unlike some states, Illinois law does not allow for 'medical cannabis clinics' or practices that exist solely to offer cannabis certifications," Illinois Department of Financial and Professional Regulation Acting Secretary Manuel Flores said. "We want to make sure that patients who would truly benefit from the relief of medical cannabis are not misled and physicians are not violating the law."

In the meantime, Illinois has created a website to put information out about progress with the new law, called the Medical Cannabis Pilot Program. The website now features a warning for people to be patient.

"Members of the public should be aware that full implementation of MCPP will take time," it reads.



TO: Village President and Board of Trustees

FROM: Juliana A. Maller, Village Manager
Howard A. Killian, Director of Engineering and Public Works

SUBJECT: Purchase of 2-1/2 Ton Dump Truck

ACTION

REQUESTED: Approval Concurrence Discussion Information

MEETING DATE: April 3, 2014 – Board Workshop

Executive Summary

Fleet Services is recommending the purchase of a 2-1/2 ton dump truck from Rush Truck Center of Carol Stream in the amount of \$146,434.

Discussion

The Village can take advantage of the State of Illinois Joint Purchasing Bid on large trucks. The FY14 Budget includes \$162,000 for the purchase of a 2-1/2 ton dump truck with plow and salt spreader.

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Rush Truck Center Carol Stream, IL	2015 International with Box, Spreader and Plow	\$146,434

This truck will be equipped for snow and ice control in the winter, and asphalt and general hauling during the summer months. It is replacing a 2003 International dump used by the Street Division.

Recommended Action

Motion to establish a purchase order to Rush Truck Center for the purchase of a 2015 International dump truck in an amount not to exceed \$146,434 and authorize the Village Manager to execute the necessary documents.

Budgeted Item:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Budgeted Amount:	\$162,000	
Actual Cost:	\$146,434	
Account Number:	061-6110-485-13.42	

Agreement Name: _____

Executed By: Juliana Maller

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