



**MINUTES**  
**COMMITTEE OF THE WHOLE MEETING**  
**Tuesday, October 15, 2019**

Present:

Mayor Brandt	Trustee Harms Muth
Trustee Grujanac	Trustee Hancock
Trustee Leider	Trustee Pantelis
Trustee Raizin	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Finance Director/Treasurer Peterson	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Planning & Development Manager Zozulya	Economic Development Director Gilbertson

**1.0 ROLL CALL**

Mayor Brandt called the meeting to order at 7:10 p.m., and Village Clerk Mastandrea called the Roll.

**2.0 ITEMS OF GENERAL BUSINESS**

2.1 Planning, Zoning and Land Use

**2.11 Consideration of an Ordinance Granting Directional Sign Variations from Title 12 (Sign Control) of the Lincolnshire Village Code (1-3 Stevenson Drive – Adlai E. Stevenson High School District 125)**

Planning & Development Manager Zozulya provided an update and summary of a proposed Ordinance granting directional sign variations from Title 12 (Sign Control) of the Lincolnshire Village Code (1-3 Stevenson Drive – Adlai E. Stevenson High School District 125). As a result of the Public Hearing held at the Architectural Review Board (ARB) meeting on September 24, 2019, staff received several inquiries from adjacent property owners as to whether or not the signs would be illuminated. The response is no, they will not be lit however, Stevenson has tested in the field, they will be visible at night. Planning & Development Manager Zozulya noted the ARB was unanimously in favor of the variations to increase the size of the signs and to allow additional information on signs above what is permitted by code. However, changes were recommended by the ARB, and Stevenson responded as follows: 1. Redesign directional “parking” signs to the same design as the other proposed directional signs with a projecting sign panel. *The petitioner complied, as shown in the drawings.* 2. Change the gold color of the “Stevenson High School” message to a grey color. *The petitioner removed this message from all signs.* 3. Increase scale and size of directional arrow on the sign copy. *The petitioner considered the ARB recommendation, ran additional field*

*tests, and determined the arrow is sized appropriately. Therefore, no revisions were made.* 4. Provide consistency of gold color specifications throughout all signs. *The petitioner confirmed they are consistent throughout.*

Mr. Sean Carney, Superintendent for Business Services at Stevenson High School provided a presentation regarding a proposed Ordinance granting directional sign variations from Title 12 (Sign Control) of the Lincolnshire Village Code (1-3 Stevenson Drive – Adlai E. Stevenson High School District 125).

Mayor Brandt asked what the time frame was for the new signs to be installed. Mr. Carney noted, pending Board approval, the goal would be to get them installed immediately after.

It was the consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

## **2.12 Continued Discussion of Recreational Cannabis (Village of Lincolnshire)**

Mayor Brandt noted tonight's discussion regarding recreational cannabis will focus on the zoning component. All comments received to date have been shared with the Board of Trustees. The Village will not discuss adult use or possession of recreational cannabis which will become legal in the state of Illinois as of January 1, 2020. The Village Board cannot prohibit lawful use or possession in Lincolnshire. Mayor Brandt noted the Village Board will consider zoning authority for cannabis businesses. However, no final action will be taken at the meeting tonight. Mayor Brandt stated the Board may provide direction to staff to do the following:

- Prepare an ordinance prohibiting recreational cannabis businesses.
- Prepare an ordinance issuing a moratorium on recreational cannabis businesses.
- Research or initiate the process to seek an advisory referendum on the March 17, 2020 General Primary Election. Because the election is after January 1, 2020 the Village would need to prohibit cannabis businesses pending the result of the referendum.
- Prepare an ordinance permitting recreational cannabis businesses.
- Perform additional research and present at a future Committee of the Whole Meeting.

Any of these items would be discussed at a future public meeting.

Assistant Village Manager/Community & Economic Development

(CED) Director Gilbertson and Chief of Police Leonas provided a presentation outlining the cannabis regulation and tax act, types of cannabis businesses, zoning and business regulation including distance/buffer considerations, compliance checks and local enforcement, public safety implications, financial implications, and Village Board considerations.

Village Attorney Simon noted there is a different tax rate based on the potency of THC.

Mayor Brandt noted not everyone in attendance may get a chance to speak so in fairness, held an informal poll to see who in attendance was in favor of and who was opposed to recreational cannabis dispensaries in the Village of Lincolnshire.

Mayor Brandt read the Village's rules for Public Comment.

Mayor Brandt asked if the Board wished to adhere to the 30-minute public comment rule or waive it. The consensus of the Board was to adhere to the 30-minute public comment rule. Mayor Brandt noted each person's time to comment would be limited to 2 minutes, and the total amount allowed for comment would be 30 minutes.

Mayor Brandt asked the Board if they would like School District 103, School District 125, and/or Catalyst Group to address the Board before opening comment to the broader public.

Trustee Grujanac relayed that School District 125 has no official comment regarding this discussion.

The consensus of the Board was to allow School District 103 and the Catalyst Group to address the Board before opening comment to the broader public.

Mr. Scott Warren, Superintendent of School District 103 stated he is in attendance to encourage the Board not to allow recreational dispensaries in the Village limits. Mr. Warren noted concern regarding access to cannabis for the children, and if the children have access, then concern turns to use.

Mr. Carson Ezell, member of the Catalyst Group and a junior at Stevenson High School, noted Catalyst Group is an organization of students that advocate for substance abuse prevention. Mr. Ezell provided marijuana offense statistics in Denver County, Colorado. Mr. Ezell noted concern regarding allowing cannabis dispensaries in Lincolnshire and asked to Board to consider opting-out of cannabis dispensaries in Lincolnshire.

Mr. Yucheng Yuan, resident of 517 Rivershire Place urged the Board to

opt-out of allowing cannabis dispensaries in Lincolnshire. Mr. Yuan provided family background related to his children, the school, and noted concern if allowing a cannabis dispensary in Lincolnshire.

Mr. Tom Habley, clinical counselor at Stevenson High School stated he is here to represent his profession and noted concern regarding the issue of marijuana use. Mr. Habley asked the Board to consider opting-out of allowing recreational cannabis dispensaries in Lincolnshire. Mr. Habley stated in the past three years, some of the students he works with, who used marijuana, show signs of a condition he calls anticipatory euphoria.

Mr. Peter Benzinger, resident of 600 Mayflower in Lake Forest, stated he served as Chairman of the Illinois Youth Commission; Director of Corrections for the State of Illinois; Chairman of the Illinois Criminal Justice Authority; and the Head of the United States Drug Enforcement Administration under Presidents Ford, Carter, and Reagan. Mr. Benzinger urged the Board to opt-out of recreational cannabis dispensaries. Mr. Benzinger noted his opinion that if dispensaries are allowed, there will be more availability, more drug dealers, and the community will drastically change.

A freshman at Stevenson High School and a Catalyst Group member urged the Board to opt-out of a recreational cannabis dispensary in Lincolnshire and included some statistics relative to the effects of marijuana.

Ms. Trisha Gannu, sophomore at Stevenson High School and a Catalyst Group member, provided information related to product marketing and effects on the youth of possible cannabis sales and requested the Board opt-out of recreation cannabis sales in Lincolnshire.

Ms. Maya Gopal, a sophomore at Stevenson High School and Catalyst Group member, urged the Board to opt-out of recreational cannabis sales and stated her opinion is that this would threaten the public safety of current and future residents.

Ms. Susan Sirota, Pediatrician and mother of three students who have attended Lincolnshire schools, stated her comments are based on her medical expertise. Ms. Sirota noted she has seen the medical effects of marijuana and provided specifics to the various effects/conditions. Ms. Sirota requested the Board opt-out of recreational cannabis dispensaries in Lincolnshire.

Mr. Xiao Teng, resident of Lincolnshire stated he moved here five years ago because he believed it was a better community. Mr. Teng stated his opinion is, in order to keep the community safe and clean for the younger generation, he is requesting the Board opt-out of

recreation cannabis dispensaries in Lincolnshire.

Mr. Xixin Fang, resident of Lincolnshire sincerely requested the Board to say no to sales of recreational cannabis.

Mr. Zuoyi Liu, resident of Lincolnshire stated he recently moved to Lincolnshire, and if he would have known there would be a possibility to sell cannabis in Lincolnshire, he would not have moved here. Mr. Liu stated his opinion is cannabis will be harmful to the community. Mr. Liu asked the Board to consider opting-out of recreation cannabis dispensaries in Lincolnshire.

Mr. Wayne Zhu, resident of Lincolnshire stated he is concerned about his children and the community if the Board allows recreational cannabis dispensaries in Lincolnshire, and urged to Board to opt-out.

Ms. Ting Si, resident of Lincolnshire stated her son has attended Lincolnshire schools and noted concern for the children and community if the Village were to allow recreational cannabis sales in Lincolnshire. Ms. Si noted she has obtained over 600 signatures to provide to the Board requesting them to opt-out of recreational cannabis dispensaries in Lincolnshire. Mayor Brandt asked Ms. Si to submit her list of petitions to Public Works Director Woodbury so he could add them to materials received regarding this item.

Ms. Helen Piao, resident of Lincolnshire stated her family moved to Lincolnshire 2 ½ years ago. Ms. Piao stated the move was based on the outstanding school district and low crime rate. Ms. Piao noted concern for the safety of the children and community if the Village allows recreational cannabis dispensaries.

Ms. Christine Liu, resident of Lincolnshire stated when people think of Lincolnshire, they think of schools and many residents have purchased homes due to the schools. Ms. Liu noted her opinion was the state of Illinois made a mistake to legalize recreational marijuana. Ms. Liu noted concern for the children if the Village would allow recreational cannabis dispensaries in Lincolnshire and asked to Board to consider opting-out.

Ms. Sarah Wang, resident of Lincolnshire and mother of an eighth grader at Daniel Wright Junior High School stated she came before the Board to defend the children of the community. Ms. Wang read a note urging the Board to opt-out of recreational cannabis dispensaries in Lincolnshire.

Mayor Brandt noted the 30-minute Public Comment time is up, but in fairness to all, asked if there was anyone in attendance who was in favor of recreational cannabis dispensaries in Lincolnshire who might want to speak.

Ms. Melissa Wilcox, resident of Lincolnshire stated she has children in the Lincolnshire school district and wants all the things the other residents have mentioned. Ms. Wilcox noted the state legalized the substance, and her opinion is that it is safer than alcohol. Ms. Wilcox stated she feels Lincolnshire would be hypocritical if they allow alcohol to be sold in the Village and not cannabis. Ms. Wilcox asked if anyone in the room has ever been to a cannabis dispensary and noted in order to even get into a dispensary, you have to provide a license showing you are 21 or older. Ms. Wilcox stated if the Village opts-in, it can be regulated.

Mayor Brandt thanked all who spoke.

Trustee Leider stated he would encourage the other Trustees to vote against allowing recreational cannabis dispensaries in Lincolnshire; to opt-out and direct staff to prepare an Ordinance banning recreational cannabis sales in Lincolnshire. Trustee Pantelis was in agreement with Trustee Leider.

Trustee Grujanac stated there are nine communities in the area that have already voted to have dispensaries, so there will be accessibility to cannabis in the area. Trustee Grujanac stated now the question is not whether or not Lincolnshire allows it, but whether or not there is discussion about the danger of it in the home and the community. Trustee Grujanac stated she would vote no to recreational cannabis dispensaries in Lincolnshire.

Trustee Hancock stated he believes it is a complex issue, and if allowed, could see how it could be more regulated. Trustee Hancock stated he has children in the school district and knows that if they wanted to get access, they could. Trustee Hancock noted concern regarding people driving under the influence and there not being an easy way to measure this. Trustee Hancock stated he did not see a reason for Lincolnshire to be a first to allow a dispensary and agreed to opt-out.

Trustee Raizin stated Lincolnshire is unique because the high school in the Village is approximately half the size of the entire community noting concern for the children in the community. Trustee Raizin stated one of the things she recently learned about is the strength of marijuana noting different products can have extremely different degrees of potency. Trustee Raizin stated her opinion was that Lincolnshire did not need to be on the front end of this and was in favor of opting-out.

Trustee Harms Muth stated she did not see a reason for Lincolnshire to be racing to get one of the first dispensaries, noting the legislature left many blanks and gaps that she did not feel Lincolnshire should be responsible for filling. Trustee Harms Muth noted she appreciates the

passion the community has expressed tonight but urged them to understand that there are other communities sitting right on the edge of Lincolnshire who have already approved dispensaries, so marijuana will be on our community as of January 1, 2020. Trustee Harms Muth urged all to work together to figure out ways to handle the situation going forward. Trustee Harms Muth expressed favor of opting-out of recreational cannabis dispensaries in Lincolnshire.

Mayor Brandt summarized the discussion noting she had expressed in the past that she was in favor of opting-out of recreational cannabis dispensaries in Lincolnshire. Mayor Brandt stated she was proud of all those who came forward to express their views and participate in the meeting in a civil manner.

Trustee Leider asked for clarity for staff purposes and proposed directing staff to prepare an Ordinance banning all recreational cannabis-type businesses in Lincolnshire. Trustee Pantelis was in agreement with Trustee Leider's proposed direction. Trustee Grujanac was in agreement so as not to bind the Village since it is unchartered territory. Trustee Harms Muth suggested issuing a moratorium and ban it during the moratorium period. Trustee Harms Muth noted her opinion is the Board should re-visit this issue at some time in the future; once more of the unknowns are known.

Village Attorney Simon noted between prohibiting it outright and a moratorium, the better option would be to prohibit it and administratively bring it back up at a later date. Under the state statute, the first set of licenses will all be gone for dispensaries by May 1, 2020. It won't be until the end of 2021 before the state can administratively decide to expand the market and increase the number of dispensaries, so during that two-year period, more of the unknowns will become known.

Trustee Grujanac noted concern regarding potential costs going forward for Public Safety regardless of having a dispensary in Lincolnshire or not. Village Attorney Simon noted the state will be sharing some of their tax revenue with local governments which is earmarked for Police measures. Village Manager Burke stated there will be a subsequent report from the Police Department with regard to Village code amendments that need to be addressed related to this change in state law. Village Manager Burke stated staff can track costs related to the change.

It was the consensus of the Board to opt-out of recreational cannabis dispensaries in the Village of Lincolnshire.

## 2.2 Finance and Administration

### **2.21 Official Announcement of Estimated Amount to be Raised by Ad Valorem Taxes for the 2019 Tax Levy to be Collected in Fiscal**

### **Year 2020 (Village of Lincolnshire)**

Finance Director/Village Treasurer Peterson provided a summary of the official announcement of estimated amount to be raised by Ad Valorem taxes for 2019 Tax Levy to be collected in fiscal year 2020 as required by state statute. Finance Director /Village Treasurer Peterson noted the proposed budget for Fiscal Year 2020 reflects a 2019 estimated property tax levy of \$1,629,000 to be collected in FY2020. By levying a tax for Police Protection and pension/retirement contributions, staff has positioned the Village to capture \$39,884 additional property tax revenue while maintaining a tax rate freeze of .241. Finance Director/Village Treasurer Peterson noted the draft equalized assessed valuation numbers are to be released tomorrow, October 16 so staff will have the actual numbers then. When the actual come in, the numbers would be adjusted accordingly at .241 unless the Board agrees change the rate.

Mayor Brandt asked if it was the consensus of the Board to hold the rate at 241.

Trustee Hancock asked why this wouldn't be up for discussion at a budget meeting. Finance Director/Village Treasurer Peterson stated staff planned to bring this up during the budget process, but the presentation at this level needs to be done in accordance with state law; staff needs to bring forward the estimate but it does not mean the Board cannot change it. Trustee Hancock suggested doing a multi-year forecasting for other improvement costs in order to figure out what the right funding mechanism may be. Mayor Brandt noted the proposed tax levy money can only be used to fund Police Pension/Police Protection. Trustee Leider agreed with Trustee Hancock.

Finance Director/Village Treasurer Peterson noted this item would be brought back with a formal levy ordinance at a meeting in November after the budget discussions have been completed.

- 2.3 Public Works
- 2.4 Public Safety
- 2.5 Public Safety
- 2.6 Parks and Recreation
- 2.7 Judiciary and Personnel

### **3.0 UNFINISHED BUSINESS**

### **4.0 NEW BUSINESS**

Trustee Grujanac thanked staff for hard work in preparing for managing the meeting tonight.

### **5.0 EXECUTIVE SESSION**

Trustee Grujanac moved and Trustee Harms Muth seconded the motion to go into Executive Session for the purpose of discussing personnel. The roll call vote was as follows: AYES: Trustees Harms Muth, Hancock, Pantelis, Grujanac, Leider, and Raizin. NAYS: None. ABSENT: None. ABSTAIN: None. Mayor Brandt declared the motion carried and the Board went into Executive Session at 8:45 p.m. and came out of Executive Session at 9:46 p.m.

**6.0 ADJOURNMENT**

Trustee Grujanac moved and Trustee Harms Muth seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Brandt declared the meeting adjourned at 9:47 p.m.

Respectfully submitted,  
**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk