

VILLAGE of GLENWOOD
SPECIAL MEETING NOTICE AND AGENDA
DECEMBER _26_, 2019, 7:00 p.m.

I HEREBY CALL AND GIVE NOTICE THAT A SPECIAL MEETING OF THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLENWOOD WILL BE HELD ON DECEMBER _26_, 2019 AT 7:00 p.m. AT THE GLENWOOD VILLAGE HALL LOCATED AT ONE ASSELBORN WAY, GLENWOOD, ILLINOIS 60425. THE AGENDA FOR THE SPECIAL BOARD MEETING IS BELOW:


Village President

SPECIAL BOARD MEETING AGENDA
December _26_, 2019, 7:00 p.m.

AGENDA NO. 2019-12-03SBM

Call to Order

Pledge of Allegiance

Roll Call

Open to the Public (regarding items on the Agenda)

APPROVAL OF A RESOLUTION INITIATING THE SUBMISSION OF AN ADVISORY PUBLIC QUESTION ON WHETHER CANNABIS (MARIJUANA) DISPENSARIES SHOULD BE ALLOWED WITHIN THE VILLAGE OF GLENWOOD, COOK COUNTY, ILLINOIS

APPROVAL OF AN ORDINANCE CREATING A TEMPORARY MORATORIUM ON THE PROCESSING OR CONSIDERATION OF ANY APPLICATIONS OR REQUESTS TO LOCATE A CANNABIS BUSINESS IN THE VILLAGE OF GLENWOOD

Open to the Public

Adjournment

Posted and Distributed: December _23_, 2019

VILLAGE OF GLENWOOD

ORDINANCE NO. _____

**AN ORDINANCE CREATING A TEMPORARY MORATORIUM ON
THE PROCESSING OR CONSIDERATION OF ANY APPLICATIONS
OR REQUESTS TO LOCATE A CANNABIS BUSINESS IN THE
VILLAGE OF GLENWOOD**

WHEREAS, the Village of Glenwood is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution;

WHEREAS, as a home rule unit of local government, the Village may exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution;

WHEREAS, the State of Illinois has passed legislation to legalize the sale and use of marijuana (cannabis) beginning as of January 1, 2020;

WHEREAS, the Corporate Authorities of the Village has passed a resolution to submit an advisory referendum question to its electorate at the March 17, 2020 general primary election on whether cannabis dispensaries should be authorized to operate within the Village of Glenwood;

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et.seq.*, (the "Act") allows municipalities to prohibit or restrict the location of cannabis businesses in a manner that includes, but is not necessarily limited to the following:

1. The enactment of reasonable zoning ordinances or resolutions, not in conflict with the Act or rules adopted pursuant to this Act, regulating cannabis business establishments.
2. The enactment of ordinances or rules not in conflict with the Act or rules adopted pursuant to this Act governing the time, place, manner, and number

of cannabis business establishment operations, including minimum distance limitations between cannabis business establishments and locations it deems sensitive, including colleges and universities, through the use of conditional use permits.

3. The enactment of ordinances to prohibit or significantly limit the location of a cannabis business' location.

WHEREAS, the prohibition or regulation of cannabis businesses presents difficult questions particularly because while the Act may, pursuant to its terms, legalize marijuana in Illinois, it is anticipated that marijuana will still be considered a controlled substance and be illegal under Federal law;

WHEREAS, the Village's zoning ordinance does not address property uses involving the retail sale of marijuana or other cannabis businesses;

WHEREAS, there are not any medical marijuana dispensaries located in the Village of Glenwood;

WHEREAS, the Village has not received any applications seeking to locate a marijuana dispensary in the Village;

WHEREAS, the Village has not received any applications seeking to locate any other type of cannabis business in the Village;

WHEREAS, as a result of the fact, that there are no pending applications or requests to locate a cannabis business in the Village, there is no entity that can claim to have any perceived rights under any Village ordinance;

WHEREAS, the Corporate Authorities of the Village of Glenwood find that the public health and welfare of the Village requires that the Village have the opportunity to engage in a full and complete review of all the questions and issues related to the

legalization of marijuana after it receives the input of its electorate at the March 17, 2020 general primary election;

WHEREAS, the Corporate Authorities of the Village of Glenwood finds that the public welfare requires that the Village impose a temporary moratorium on the processing and consideration of any applications or requests to locate a cannabis business in the Village of Glenwood until such time that the Village can: (1) receive the input of its electorate on an advisory referendum that will be held on March 17, 2020; and (2) undertake a complete review of the issues and determine whether the public interest and welfare of the Village requires that cannabis businesses be prohibited or allowed, and if allowed, the locations and conditions under which they might be allowed; and

NOW, THEREFORE, BE IT ORDAINED THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLENWOOD, COOK COUNTY, ILLINOIS, pursuant to its home rule authority and the authorization granted to it by the Cannabis Regulation and Tax Act, as follows:

SECTION 1: Incorporation of Recitals. All of the recitals contained in the preambles to this Ordinance are true and correct, and incorporated into this Resolution by this reference.

SECTION 2: Temporary Moratorium. There shall be a Temporary Moratorium on the processing or consideration of any application or request pertaining to, or relating to, the location of any cannabis business within the Village of Glenwood. This Temporary Moratorium shall remain in effect until June 30, 2020 or until such earlier date as set forth in any future amendment to this Ordinance. This Temporary Moratorium may, in the legislative discretion of the Village's Board of Trustees, further be extended as deemed necessary to accomplish its

purpose. During the period in which this Temporary Moratorium is in effect, the Village and any of its related Boards: (1) shall not accept any applications or requests seeking to locate any cannabis business within the Village of Glenwood; and (2) shall not undertake any review or consideration of any applications or requests seeking to locate any cannabis business within the Village of Glenwood.

SECTION 3: Effective date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this ___ day of December, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___th day of December, 2019.

Ronald Gardiner,
Village President, Village of Glenwood

ATTEST:

Dion Lynch, Village Clerk

VILLAGE OF GLENWOOD

RESOLUTION NO. _____

A RESOLUTION INITIATING THE SUBMISSION OF AN ADVISORY PUBLIC QUESTION ON WHETHER CANNABIS DISPENSARIES SHOULD BE ALLOWED WITHIN THE VILLAGE OF GLENWOOD, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Glenwood ("Village") finds that it is in the best interest of the Village and its citizens to provide for an advisory referendum to be submitted to its voters concerning whether recreational use cannabis dispensaries should be allowed within the boundaries of the Village of Glenwood; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF GLENWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: Incorporation of Recitals. All of the recitals contained in the preambles to this Resolution are true and correct, and incorporated into this Resolution by this reference.

SECTION 2: An advisory public question on whether recreational use cannabis dispensaries should be allowed within the boundaries of the Village of Glenwood, shall be submitted to the voters of the Village in accordance with the general election law at the general primary election to be held on Tuesday, March 17, 2020 between the hours of 6:00 a.m. and 7:00 p.m. on said day ("Election").

SECTION 3: The Election shall be held in the voting precincts and at the polling places established by the County Board (the "County Board") of the County of Cook, Illinois (the "County"), for the voters of the Village at said general primary election.

SECTION 4: The County Clerk of Cook County (the "County Clerk") shall give notice of the Election in accordance with the general election law, including any Spanish, Chinese and Asian Indian translations as deemed by the County Clerk to be required by the law (the "Notice") by: (i) publishing notice thereof once not more than sixty (60) nor less than ten (10) days prior to the date for the Election in a local, community newspaper having general circulation in the Village; and (ii) posting a copy of the Notice at least ten (10) days before the date of the Election at the principal office of the County Clerk.

SECTION 5: It is hereby found and determined that the Chicago Tribune and the Chicago Sun-Times are each local, community newspapers of general circulation in the Village, and suitable for publication of the Notice pursuant to the requirements of Section 12-5 of the Election Code of the State of Illinois, as amended (the "Election Code").

SECTION 6: The Village Clerk shall post a copy of the Notice at the principal office of the Village.

SECTION 7: The Notice shall appear over the name or title of the County Clerk and shall be in substantially the following form:

NOTICE IS HEREBY GIVEN that at the general primary election to be held on Tuesday, March 17, 2020, the following advisory proposition will be submitted to the voters of the Village of Glenwood, Cook County, Illinois:

Shall the Village of Glenwood allow recreational use cannabis dispensaries to operate within the boundaries of the Village of Glenwood?

The polls at said election will be open from 6:00 a.m. and will continue to be open until 7:00 p.m. of that day.

Dated this _____ day of _____, 2020

Cook County Clerk

SECTION 8: The Ballots to be used at the Election, including the Spanish, Chinese and Asian Indian translations thereof as deemed by the County Clerk to be required by law, shall be substantially in the following form, with necessary alterations, changes, deletions and insertions as may be required by Articles 24A or 24B of the Election Code if an electronic, mechanical or electric voting system is used at the election:

(Face of Ballot)

OFFICIAL BALLOT

ADVISORY PROPOSITION ON WHETHER THE VILLAGE OF GLENWOOD SHALL ALLOW RECREATIONAL USE CANNABIS DISPENSARIES TO OPERATE WITHIN THE BOUNDARIES OF THE VILLAGE OF GLENWOOD, COOK COUNTY, ILLINOIS.

(INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space opposite the word indicating the way you desire to vote.)

Shall the Village of Glenwood, Cook County, Illinois, allow recreational use cannabis dispensaries to operate within the boundaries of the Village of Glenwood?	YES	
	NO	

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the advisory proposition on whether the Village of Glenwood shall allow recreational use cannabis dispensaries to operate within the boundaries of the Village of Glenwood, Cook County, Illinois.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)
County Clerk, Cook County, Illinois

SECTION 9: The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which said public question will be submitted to the voters of the Village.

SECTION 10: After the adoption hereof and not less than 68 days prior to the date of the Election, the Village Clerk shall certify a copy hereof to the County Clerk in order that the proposition set forth herein may be submitted to the voters of the Village at the Election.

SECTION 11: The Election shall be held and conducted and the returns thereof duly canvassed, all in a manner and time provided by the general election law.

SECTION 12: If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 13: This Resolution be in full force and effect forthwith upon its adoption.

PASSED BY THE FOLLOWING ROLL CALL this ____th day of December, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by roll call vote this ____th day of December, 2019.

Ronald Gardiner,
Village President, Village of Glenwood

ATTEST:

Dion Lynch, Village Clerk