

**CITY OF VIENNA
CITY COUNCIL MEETING
VIENNA CITY HALL
205 North 4th St
November 20, 2019
6:30 P.M.**

AGENDA

1. Mayor Calls Meeting to Order.

2. Roll Call:

Hill _____ Riddle _____ Owen _____ Racey _____ Tuey _____ Penrod _____

NEW BUSINESS

3. Omnibus Consent Agenda

- Approval of the October 16, 2019 Meeting Minutes
- Approval of the Warrant
- Treasurer's Report (Oct)

Motion _____ **Seconded** _____

Hill _____ Riddle _____ Owen _____ Racey _____ Tuey _____ Penrod _____

4. Authorization and Approval of Ordinance 19- 06, An Ordinance Prohibiting Cannabis Business Establishments in the City of Vienna, IL

Motion _____ **Seconded** _____

Hill _____ Riddle _____ Owen _____ Racey _____ Tuey _____ Penrod _____

5. Authorization and Approval for the City to purchase Holiday Turkey/Hams for Employees

Motion_____ **Seconded**_____

Hill_____ Riddle_____ Owen_____ Racey_____ Tuey_____ Penrod_____

6. Discussion of Revising the City's Burn Ban Ordinance

PUBLIC COMMENT/ADDITION TO THE AGENDA

7. **City Elected and Appointed Officials:**

- Jon Simmons, Mayor- Letter of resignation of Rodney Gholson from Zoning Board
- Melissa Presser, City Attorney
- Aleatha Wright, City Clerk
- Shane Racey, City Supt
- Michelle Meyers, Treasurer
- Jim Miller, Chief of Police
- Brent Williams, Fire Chief
- Phil Morris, Depot
- Margaret Mathis, City Librarian
- City Council

8. **Executive Session: 5ILCS 120/2(C)(1)- Employment**

Out of Regular Session into Executive Session:

Motion_____ **Seconded**_____

Hill_____ Riddle_____ Owen_____ Racey_____ Tuey_____ Penrod_____

Out of Executive Session onto Regular Session:

Motion_____ **Seconded**_____

Hill_____ Riddle_____ Owen_____ Racey_____ Tuey_____ Penrod_____

9. Authorization and Approval for the City of Vienna to employ a part time officer (Resource Officer) for Security at Vienna schools.

Motion_____ **Seconded**_____

Hill_____ Riddle_____ Owen_____ Racey_____ Tuey_____ Penrod_____

10. **Adjournment:**

POSTED: 11-18-19

BY: 

MUNICIPAL CANNABIS BUSINESS PROHIBITION

ORDINANCE NO. 19-06

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF VIENNA BY THE ADDITION OF CHAPTER 116 PROHIBITING CANNABIS BUSINESS ESTABLISHMENTS

WHEREAS, the City has the authority to adopt ordinances and to promulgate rules and regulations [that pertain to its government and affairs and] that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the City has the authority to prohibit adult-use cannabis business establishments; and

WHEREAS, the City has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the City; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vienna as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Cannabis Business Establishments Prohibited. Title XI (Business Regulations) of the Municipal Code of the City of Vienna shall be amended by the addition of Chapter 116 that will read as follows:

CHAPTER 116: Cannabis Business Establishments Prohibited.

1. Definitions. The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

ADULT-USE CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and

Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

PERSON: Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

2. Cannabis Business Establishments Prohibited. The following Adult-Use Cannabis Business Establishments are prohibited in the City of Vienna. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the City of Vienna of any of the following:

Adult-Use Cannabis Craft Grower; Adult-Use Cannabis Cultivation Center; Adult-Use Cannabis Dispensing Organization; Adult-Use Cannabis Infuser Organization or Infuser; Adult-Use Cannabis Processing Organization or Processor; Adult-Use Cannabis Transporting Organization or Transporter

3. Public Nuisance Declared. Operation of any prohibited Cannabis Business Establishment within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

4. Violations. Violations of this Chapter may be enforced in accordance with the provisions of Chapter 10 of this Code.

5. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

6. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS _____ day of November, 2019.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

APPROVED THIS _____ day of November, 2019.

Mayor, Jon A. Simmons

ATTEST: _____
City Clerk, Aleatha Wright