



DEKALB CITY COUNCIL AGENDA AUGUST 12, 2019

DeKalb Municipal Building
City Council Chambers
Second Floor
200 S. Fourth Street
DeKalb, Illinois 60115

COMMITTEE OF THE WHOLE 5:00 P.M.

- A. CALL TO ORDER AND ROLL CALL**
- B. APPROVAL OF THE AGENDA**
- C. PUBLIC PARTICIPATION**
- D. CONSIDERATIONS**

1. Website Refresh.

City Manager Summary: In 2015, the City entered into an agreement with CivicPlus to design and build a new City of DeKalb website. That agreement included a no-cost, basic redesign of the website in the fifth year of the agreement. In 2018, staff announced to the community that a redesign would occur in early 2019 and began public outreach efforts to gather feedback to be used in the redesign process. This project was initially spearheaded by former Information Technology Director, Marc Thorson. Since Mr. Thorson's separation from the City, Assistant City Manager Ray Munch has taken up the leadership of this effort.

Public Feedback

The gathering of public feedback began with the launch of an open online survey in October of 2018. This survey, which was promoted through traditional and social media, provided website users an opportunity to voice opinions on the overall functionality of the website, ease of accessing information, and overall website design. Survey respondents were also given the ability to make general comments on the website and suggest changes. By December 2018, 53 individuals had responded to the survey. A summary of survey responses is included as Attachment A.

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

In addition to the online survey, staff hosted four public forums to gather in-person feedback from the community. These forums were again advertised through traditional and social media. Meeting notes are included as Attachment B.

The City staff aggregated the information gathered through the online survey and public forums and compiled notes to guide us through the redesign process. Overwhelmingly, the feedback on the website was that it contains vast amounts of useful information, but information can be difficult to find, and the website is cluttered. Additional feedback centered on website features such as the website's search function, which was said to provide inaccurate search results.

While sorting through the feedback received, staff determined that much of the negative feedback was unrelated to the actual design of the website and is more attributable to the upkeep of the website, which is the responsibility of City staff, not CivicPlus. As a result, City employees undertook efforts to "clean-up" the existing website. Every page of the website was reviewed in-house, and items needing to be addressed were noted, such as outdated or irrelevant pages, broken links, and consistency issues relating to formatting and design. The City staff then worked with various City departments who manage their own pages to make corrections. Additional training was also offered to newer staff members who maintain webpages. This remains an ongoing effort.

Redesign Kick-Off

In April of 2019, a team of City staff members, which included Technical Services Supervisor Jeremy Alexander, Management Analyst Jason Blumenthal, former Management Intern Walker Steinke, and Assistant City Manager Raymond Munch, began working with the CivicPlus design team. Initial project tasks included the approval of the project timeline and the gathering of logos, photos, and branding materials. Staff participated in several teleconferences with CivicPlus to provide feedback that was received from the public. City staff then reviewed sample websites recently designed by CivicPlus to determine design elements that may be desirable for the City of DeKalb website. It should be noted that the scope of this project was never a clean slate rebuild of the website. Because this is a no-cost redesign, the project is limited in scope.

Pre-Design Work

In May, City staff received the proposed "mood board" and basic layout proposal from CivicPlus. The mood board determined items such as logos and color scheme. One of the primary complaints about the existing website is the lack of a proper City logo and a color scheme that does not align with the City's existing branding. Staff approved the mood board proposal, which accurately represented the City's current branding. Staff also approved the initial layout proposal, which included the components staff understood to be most desired by the public. Those components included a prominent calendar, timely news and announcements, and easily identifiable graphic link buttons.

Staff also requested an accessibility review of the website to ensure compliance with the Americans with Disabilities Act (ADA). CivicPlus utilized a third-party, AudioEye, to complete this review. AudioEye scanned 995 pages and identified an average of 2.3 errors per page. According to CivicPlus, their clients average five to seven errors per page, with the industry average being 12 errors per page.

Design Concept

Once the mood board and layout were approved, CivicPlus graphic artists began the initial design of the website in June. This initial design concept was presented in a photo file (JPEG) format in mid-July. CivicPlus provided three individual page views for review. Those page views include the homepage, the homepage with the mega-menu expanded, and an interior webpage. Now that CivicPlus has delivered a product worthy of presentation to the community, it is an appropriate time to update the City Council and seek feedback on the work completed to this point. The page mock-ups are provided as Attachment C.

Next Steps

The approved project timeline calls for the submission of changes to the design concept by August 16. It should be noted that no work has actually commenced on the design of the website itself. All work to this point is conceptual and actual design and build work will not begin until CivicPlus receives approval of the design concept. Once the design concept is approved, CivicPlus will begin the actual build of the redesigned website. While that is happening, CivicPlus will work behind the scenes to improve navigation of the site. This work will utilize actual data from the City's website, such as the number of visits to each page, to determine the proper layout of site menus and graphic links. Under the approved timeline, the redesigned site should be launched in early November. ([Click here for further information](#))

2. Adult Use of Cannabis in DeKalb

City Manager Summary: On June 25, Governor Pritzker signed Public Act 101-0027, the Cannabis Regulation and Tax Act, which legalized the private consumption and possession of cannabis for Illinois residents over 21 years of age. Much has been written and discussed concerning the local regulation of adult-use cannabis since then. This workshop topic is intended to identify areas for Council discussion – topics that may demand the Council's attention in future weeks and months.

Background

The Cannabis Regulation and Tax Act addressed the following topical areas of interest:

a. Regulated Cannabis Businesses

Six types of businesses are regulated by the Act:

- **Craft Grower.** Such facilities cultivate, dry, cure and package cannabis for sale at a dispensary. The grower is typically restricted to 5,000 square feet of

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

enclosed space, but a maximum of 14,000 square feet is permissible if authorized by the Department of Agriculture. A craft grower may share premises with a processor or dispensary.

- Cultivation Center. Such facilities cultivate, process and transport cannabis and cannabis-infused products to dispensaries.
- Dispensary. A facility that sells cannabis and cannabis-infused products, cannabis seeds, and paraphernalia to the general public and qualified medical cannabis patients.
- Infuser. A facility that directly incorporates cannabis or cannabis concentrate into a product (e.g. edibles and tinctures).
- Processor. A facility that extracts constituent chemicals or compounds to produce cannabis concentrate or incorporates cannabis or cannabis concentrate into a product.
- Transporter. Transports cannabis on behalf of a legal cannabis business establishment.

b. Local Control

The state Act allows for some local control, but also imposes certain restrictions. For instance, under the state law, no craft growers or infusers may be located in residential zoning districts. Additionally, no cannabis business may advertise within 1,000 feet of school grounds, playgrounds, recreation centers, child-care centers, public parks and libraries, or game arcades where minors (under 21) are allowed. Whether a municipality may raise that restriction to, say, 1,500 feet is not clear and will hopefully be resolved in the Fall veto session.

- Zoning. A municipality may not ban a pre-existing medical cannabis dispensary from obtaining a recreational cannabis license. However, a municipality may prohibit or significantly limit the location of cannabis businesses. In addition, it may allow certain cannabis establishments (e.g. dispensaries) and prohibit others (e.g. cultivators, infusers). Cannabis businesses would be subject to the zoning regulations of a particular district (such as setbacks, off-street parking, etc.)

Some communities are permitting dispensaries in general commercial zones and not neighborhood commercial zones, and establishing distances from residential zoning, schools, and day-care centers that mirror the same restrictions on medical dispensaries. Principal Planner Dan Olson has prepared a number of City maps (attached) showing the potential impact of “clear zones” of 100 feet, 250 feet, 500 feet and 1,000 feet for the Council’s review.

- Licenses and Permits. The licensing of cannabis businesses is the exclusive domain of the State of Illinois (Department of Agriculture and the Department of Financial and Professional Regulation). The state Act authorizes up to 500 dispensary licenses across the state, and allows them to operate from 6:00 a.m. to 10:00 p.m. In the Fall veto session, Illinois legislators will have to wrestle with whether municipalities can limit the number of special use permits they can issue for the various types of businesses. A municipality may conduct inspections to ensure that the business complies with local building codes.
- On-Premises Consumption. Municipalities may regulate or ban consumption on the premises of a recreational cannabis establishment.

c. Tax Revenue

- State. Starting on September 1, 2019, the State will collect taxes from cultivators and craft growers at the rate of 7%. Beginning on January 1, 2020, the State will impose a Purchaser's tax ranging from 10% to 25% depending on the THC level in the cannabis and if it is an infused product. All State tax receipts will be deposited in a Cannabis Regulation Fund, and each month the Department of Revenue will determine how much must remain in the fund to cover the State's regulation and enforcement costs. After such allocations are made, 8% of the remainder will be placed in the Local Government Distributive Fund, ostensibly to fund crime prevention programs, etc.
- Municipal. A municipality may impose a tax up to 3% on all persons engaged in selling cannabis at retail (this does not include medical cannabis). A municipality that imposes such a tax by ordinance and sends a certified copy to the Illinois Department of Revenue by June 1 will have its tax applied by September 1 of the same year. The state will collect the tax and remit it to municipalities in the same manner as it does other local sales taxes. The Illinois Municipal League is currently recommending that if municipalities believe they will impose such a tax, they should do so by October 1, so they can receive such taxes from the IDOR by January 1, 2020.

d. Personal Use

- Minors. If a minor is found in possession of cannabis, the minor is guilty of a civil offense, not a criminal offense. If the minor is in a motor vehicle at the time of the offense, that minor's license may be suspended or revoked. The violation for presenting a false ID to obtain cannabis is a Class A misdemeanor. Parents who knowingly permit their residence, car, boat or other private property to be used by a minor to possess or use cannabis is guilty of a Class A misdemeanor.

- **Adult Limitations**
 - Only those with a medical purpose (with medical card) can home grow. Medical users are limited to five cannabis plants at a time.
 - Recreational users caught growing at home may be punished by a \$200 fine for growing up to five plants.
 - Adults 21 and over may possess:
 - ✓ Up to 30 grams (without medical purpose)
 - ✓ Up to 5 grams for cannabis concentrate
 - ✓ 500 milligrams for cannabis infused products such as edibles and tinctures.
 - Cannabis can be smoked in a person's home or on-site in cannabis-related businesses, unless locally regulated. The state's Smoke-Free Act may further limit smoking.
 - Use is prohibited in any public location, any motor vehicle, on school grounds, near someone who is under 21 years of age, by on-duty firefighters, police officers and bus drivers.
 - Employers may ban cannabis use among employees, and landlords may ban tenants from using it.
- e. Expungement of Arrest Records. The Act mandates that the State Police and local Police departments must automatically expunge all criminal history records of an arrest, charge not initiated by an arrest, order of supervision or qualified probations for a minor cannabis offense committed prior to June 25, 2019 (i.e. for possession of up to 30 grams of cannabis).
- f. Employment
 - **Impairment**. The Act does not preempt federal, state or local restrictions including federal CDL regulations. Employers may also define reasonable standards for impairment. The Illinois standard for driving under THC influence is five nanograms or more per millimeter, whether a driver is apparently impaired or not.
 - **Discipline**. Employees may not be disciplined for use of lawful products outside of working hours. The law is, however, unclear about positive test results for "zero tolerance" professions such as Police and Fire personnel and CDL drivers who may use lawful cannabis on vacation and return to work

without impairment but still retain traces of THC in their blood streams. This area of the law will need more work.

Areas for the Council's Future Action

At an upcoming meeting, the Council may wish to determine if it wants to encourage medical and recreational cannabis use. The General Assembly has circulated an advisory explaining that medical dispensaries will be the only legal sellers of cannabis for recreational use as of January 1, 2020, but by mid-2020 Illinois will grant additional licenses. It is expected that there will be nearly 300 sellers in operation in Illinois by 2022.

If the Council consensus is to allow dispensaries in DeKalb, then the options for local regulation and a legal framework for businesses apart from the State parameters can be discussed at future Council meetings. [Click here for further information](#)

E. EXECUTIVE SESSION

F. ADJOURNMENT

[FULL AGENDA PACKET](#)