HUMAN SERVICES COMMITTEE
Monday, August 4, 2014
6:30 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present:  Alderman Fiske, Alderman Braithwaite, Alderman Holmes, Alderman Tendam, Alderman Grover, Alderman Burrus

Members Absent:   None

Staff Present:  Wally Bobkiewicz, Erika Storlie, Ylda Capriccioso, Commander James Pritchett, Michelle Masoncup, Johanna Nyden, Paul Zalmezak, Karen Danczak Lyons, Jessica Wingader

Presiding Member:  Alderman Burrus

AGENDA

I. CALL TO ORDER / DECLARATION OF QUORUM
Alderman Burrus called the meeting to order at 6:37pm.

II. APPROVAL OF MEETING MINUTES OF JULY 4, 2014
Alderman Holmes moved approval. Alderman Grover seconded approval with a correction. A voice vote was taken to approve the July 4, 2014 minutes and it was approved 6-0.

III. ITEMS FOR DISCUSSION
   Citizen Comments

   Betty Ester opened by asking if the Sept. 29, 2014 special committee meeting would be open to public comment.

   Alderman Burrus replied that the agenda wasn’t set, but citizen comments are allowed at all meetings.

   Ms. Ester stated that, in reference to the reports accompanying HH1 Human Services Funding, there was a discrepancy in the reported numbers.

   Alderman Burrus stated that staff should review and have a more detailed explanation at the meeting scheduled for September 29, 2014.

   Ms. Ester, in reference to HH4 medical marijuana, encouraged the companies interested in the space, to describe who they are, their background, the staff involved, and asked the companies to provide a description of services to Evanston residents.

   Ms. Ester also wanted to discuss the police report, while not a part of this agenda that detailed the number of stop and frisks in Evanston. She requested a report of the reasons people were stopped and who was stopped according to which reason. Some of the reasons include suspicious activity, gang activity, traffic related activity, and other activity. Betty Ester believes that officers are using racial profiling.

   Alderman Burrus thanked Ms. Ester for her concerns.
Alderman Holmes clarified that the agenda item for this meeting was a possible space for a medical dispensary, not potential tenants, companies or individuals.

Ms. Ester asked if the community would have access to information about companies potentially interested in the space. Ms. Ester expressed concerns that residents wouldn’t be provided information about the rules and regulations the companies would follow.

Alderman Holmes stated that she understood concerns and that she didn’t want to be misleading as this was not the topic for this meeting.

Ms. Ester restated her request for information about the companies considering the space.

Alderman Holmes restated that the information Ms. Ester is requesting is not part of this meeting.

Alderman Burrus asked Commander Pickett if he would like to respond.

Commander Pickett declined, stating that his goal is to talk about the animal shelter.

Alderman Burrus called for other citizen comments. When none were forthcoming, Alderman Burrus called for Items for Discussion.

### III. ITEMS FOR DISCUSSION

#### HH1 Human Services Funding

Alderman Burrus stated that the Committee hoped to meet possibly on September 29, 2014, to continue discussions about grant funding. She asked Wally Bobkiewicz to talk about the proposed date.

Wally Bobkiewicz opened by summarizing the Committee’s request for a special meeting that also involved Housing and Community Development Grant Committee, and the Mental Health Board. Staff reviewed calendar and agreed that a Monday night meeting would be ideal. Staff proposed the date of September 29, 2014 in the Parasol Room. Mr. Bobkiewicz stated the goals of the meeting and requested that the Committee decide on the meeting date.

Alderman Holmes asked how the date would work in terms of the budget process.

Mr. Bobkiewicz stated that the budget would be released in the next two weeks, but that any proposed changes would not affect the budget for 2015 - the Committee already signed off on the funding for this fiscal year. Any changes would affect the budget starting in January 2016.

Alderman Grover thanked Mr. Bobkiewicz and moved to approve the date.

Alderman Holmes seconded. A voice vote was taken and approved 6-0.

Sandi Johnson requested a different meeting date as the Mental Health Board could not attend on that date.

Sandi Johnson requested a date before September 16, 2014, or after October 2, 2014, otherwise leadership from the Mental Health Board could not be present.

Alderman Burrus stated that it was extremely important to have representatives from the Mental Health Board present and clarified that a representative from the Mental Health Board couldn’t attend.

Alderman Grover proposed alternative dates including October 6th or October 20th.

Mr. Bobkiewicz stated that staff considered other dates and asked for the other dates.

Erika Storlie stated that the September 29th date was the only one that worked for Human Services Committee, the other two committees, and City staff, unless the group agreed to meet later in October as suggested by Sandi Johnson. That board could also meet in place of Human Services.
Mr. Bobkiewicz apologized as he was under the impression that the Health Department had reviewed the date with the Mental Health Board.

Alderman Grover moved to rescind action. Alderman Holmes seconded. A voice vote was taken to rescind and the motion was rescinded 6-0.

Alderman Burrus agreed that it was the goal of the Committee to take a comprehensive approach to the conversation and include all parties like Mental Health and local non-profits.

HH2  Citywide Grants

Ylda Capriccioso introduced herself and stated that she gathered the information requested by the Committee. Information about fundraising would be provided at subsequent meetings; the memo for tonight addresses grant funding. Ms. Capriccioso addressed some of the discrepancies in the numbers and stated that she could provide an updated chart. She further provided a brief history of recent funding streams including ARRA, NSP and NSP2; contributions that will not occur again. Ms. Capriccioso also stated that departments were applying for grants as opportunities allowed. She closed her presentation by stating that she was open to questions.

Alderman Burrus stated that the City is trying to leverage money, particularly with matching grants from City/State sources, to support and fund projects without using taxpayer dollars. Alderman Burrus further stated that the City, particularly the Parks & Recreation Department, was doing a great job.

Alderman Holmes asked about the different types of fundraising.

Ms. Capriccioso described private donations that the City accepts for specific projects.

Alderman Holmes asked if the "I Heart Evanston Trees" campaign was an example.

Alderman Grover stated that in addition to identifying and applying for grants, staff is also successful at securing grants.

Alderman Burrus noted that the City needs to continually recognize funders, siting the Arrington Lagoon and the Crown Ice Arena.

V.  ITEMS FOR CONSIDERATION

HH3  City of Evanston/EPL Memorandum of Understanding

Karen Danczak Lyons stated that, at the previous Human Services Committee meeting, there was a request to clarify parking associated with library, both of which are city assets. Changes were made to article 3 identifying parking lots by pin numbers.

Alderman Burrus stated that she appreciated the clarification and asked if anyone had questions.

Ms. Danczak Lyons clarified that there is no pin number for the parking lot under the library, but that the lot is identified appropriately as the lot under the library.

Alderman Grover move approval of the City of Evanston/Evanston Public Library Memorandum of Understanding and recommended that it be sent to City Council. Alderman Tendam seconded. A voice vote was taken and it was approved 6-0.

HH4  Medical Marijuana

Johanna Nyden, Economic Development Manager, discussed the opportunity for a medical cannabis dispensary. The Public Act “The Compassionate Use of Medical Cannabis Pilot Program Act” was signed into law last year and allows for cultivation and dispensary centers. Ms. Nyden stated that, even though this is a pilot program, the rules are well defined. Applications are due to the State sometime in September. There would be a period of review and interested entities must list all criteria as defined by State rules and regulations. The location of a dispensary in relation to schools and daycare facilities is clearly regulated.
Additionally, dispensaries can’t be located in residential zones. In Evanston only a small area meets the requirements. Ms. Nyden provided a map, discussed additional limitations and defined three properties, 1800 Maple Ave., 900 Clark St., and 1830 Sherman Ave., that matched the location criteria. She further discussed the viability of the three spaces. The City owned space at 1800 Maple has been vacant because it is not suitable for food use, doesn’t have enough foot traffic for a coffee shop or retail incubator, and is too expensive for non-profits or a year round farmer’s market to purchase and build out.

Ms. Nyden provided examples of several dispensaries and reviewed the four criteria the State would use to evaluate potential applicants if the Committee decided to issue a letter of consent stating that the City as a property owner is willing to lease to a medical marijuana dispensary.

Alderman Holmes asked if the State was looking for minority business owners.

Ms. Nyden clarified that being a minority business owner was a way for applicants to secure additional points. If all applicants are strong, the State would consider minority candidates over others.

Alderman Grover asked if the State would regulate the operations of the dispensaries.

Ms. Nyden clarified that the City would have very little to do with regulating the operations.

Alderman Grover also asked if the City’s only involvement would be as a landlord; she asked if the City would have any further involvement.

Alderman Holmes stated that she understood the City’s involvement.

Alderman Grover asked about the City’s involvement in the application process.

Ms. Nyden stated that the City would have no involvement in the application process. The debate before the Committee tonight is to see if the City should offer a contingent lease. Letters would be individually addressed to each applicant and would not obligate the City to execute a lease.

Alderman Grover asked if State law stated anything about the identity of owners of the properties housing dispensaries.

Ms. Nyden stated that that will be addressed in the suitability of proposed location. She went on to defined the timeline, stating that applications would be due in September, there would be a period for comment, then an application review period – the City would have a better idea of the entities looking to use the space. If applicants were selected, then lease negotiations for the property would begin – late fall, early winter.

Alderman Grover asked if the City was obligated to issue the letter to any interested entity.

Ms. Nyden replied that the Committee could put additional requirements on the applicants and it was a discussion for the Committee. 

Alderman Braithwaite asked if the vendor needs a letter from the City before submitting an application to the State.

Ms. Nyden stated that the letter is part of the application. A potential vendor must demonstrate that they have a security plan, an operational plan and the ability to enter into a lease.

Alderman Braithwaite asked if the Committee needed to decide the number of letters issued or if the Committee needed to decide the criteria to issue the letter.

Ms. Nyden stated that it was up to the Committee.

Alderman Holmes clarified that the goal was to decide about the letter.
Alderman Tendam asked if it was necessary to let the State know how much money the City would commit to this project.

Ms. Nyden stated that the City had $150,000 as part of the Parking Fund to help update the building, but part of the challenge of the space is the cost to build out. The City will pursue a market rent rate for the space. There would be no rent reductions for build out of the space.

Alderman Fiske commented on the desirability of the space because it is so open

Ms. Nyden agreed stating that all of the potential vendors the City interviewed over the space had different plans for the layout.

Alderman Holmes asked if the letter would be for all interested parties. So the letter could be given to any interested parties, the only thing that the City is stating is that the space is available.

Ms. Nyden confirmed that that was correct.

Mr. Bobkiewicz stated that it was not the City’s goal to select the vendor. Evanston is competing with communities all over the State and that many communities are having similar discussions. The City must decide what makes sense. The State has an extensive process. It would be in the City’s best interest to make the letter available to all interested parties. Mr. Bobkiewicz further stated that he recommend the Committee recommend this to the full Council that the letter be made available to all interested parties. It would be up to the State to decided next steps. Mr. Bobkiewicz closed by stating that the parties vying for the space want to fit into the communities; they bring opportunities for employment and training. The City would work with the companies interested in submitting applications and there are lots of opportunities for additional discussions.

Ms. Nyden continued with her presentation by outlining the opportunity to tax a dispensary. She described preliminary sales projections and, with the proposed 4% tax on medical cannabis sold, explained the broad range of numbers from conservative to those based on dispensaries in other states.

Alderman Fiske asked what would happen if an organization wants to open a daycare, preschool, elementary school or secondary school within the proposed area.

Ms. Nyden stated that the application is based on preexisting conditions at the time of application. It wouldn’t preclude an organization from using the space.

Alderman Fiske went on to ask about the growers and the agencies responsible for regulating them. She asked if it was appropriate for a municipality to rent for a use contrary to Federal Law and, if the sunset provision ends in four years, how appropriate is it to sign a lease for longer. Other questions include what forms medical marijuana takes and who determines strengths if it isn’t a regulated drug. She asked if the City had to rely on the State to make that determination.

Mr. Bobkiewicz reinforced that the City would have no regulatory authority. The City’s role is land use only. Mr. Bobkiewicz reviewed other municipalities and found no other examples of City owned property. However, Peru, Illinois, is providing TIFF funds for the grow portion of the business and another county in Southern Illinois is debating selling land.

Alderman Fiske asked about the City’s exposure to liability.

Mr. Bobkiewicz agreed that it was a concern; he further stated that the City researched other states and that no similar issues have come up. Mr. Bobkiewicz pointed out that the State is moving forward with these opportunities and that this is a good opportunity for Evanston to pursue. There are other landlords and the businesses will go elsewhere. There have been no negative outcomes from other states and that, of those that are moving forward, there have been no issues. This is a unique opportunity that the Committee can pursue. Other jurisdictions have had no negative
Alderman Fiske not commenting on the benefits of medical marijuana.

Mr. Bobkiewicz stated that his response is a pragmatic one – the vendors want to use a space that the City owns, but has been unable to fill.

Alderman Fiske asked about research possibilities with Northwestern University.

Mr. Bobkiewicz stated that MedFarm, the company also located in Peru, Illinois, is working with Richard Miller, PhD, from the Feinberg School of Medicine. Dr. Miller is working on the scientific study of cannabis for therapeutic treatment for serious medical conditions. MedFarm will contribute 1% of profit to fund special research. The City is unaware of any further partnerships.

Alderman Fiske asked if the products took the form of tobacco, candy, or an oral spray.

Mr. Bobkiewicz stated that the products were by prescription – it isn’t a matter of people purchasing items off the rack.

Alderman Grover stated that according to her understanding, Illinois law is very strict compared to other states. The lease would have the same terms for provisions for liability that any of the other City leases.

Mr. Bobkiewicz stated that the City could enter into a longer term lease with the idea that, if the law changes, the City would still have the benefit of the rental income. The City is looking at this as an economic development opportunity. If the City participates in the build out costs, the terms of the lease are factors that would be taken into account.

Alderman Holmes stated that the leasee would want to negotiate the terms also and would be aware of the risk.

Mr. Bobkiewicz stated that many interested vendors have approached the City. The City shouldn’t be concerned that businesses won’t have ability. Vendors will have the opportunity to have a profitable business. It makes sense that Evanston should be a part of this.

Alderman Burrus called for citizen comments and the following people spoke concerning HH4:

Mr. Canning opened by stating that he is representing MedFarm, and introduced his partners Jeff Basler, CEO, and Joe Dooley, Director of Sales. He stated that both were available to answer questions. His company’s goal is to bring a professionalism to the business and to partner with Northwestern University professors Richard J. Miller and David E. Victorson, to research the medicinal properties of cannabinoids. MedFarm would like to open a research facility and partner with the professors named. The research would also depend on patient input. MedFarm appreciates the community of Evanston and asks that the Committee support the resolution.

Alderman Fiske asked why an individual office was necessary. She also asked if the use of medical marijuana would ever become a mainstream prescription drug. Additionally, she asked about the difference between medical marijuana and over the counter drugs.

Mr. Canning replied that the State regulates the sale of medical marijuana and doesn’t yet recognize it as a medicine. The State defines marijuana as non-exempt – it can be taxed. The State additionally regulates location.

Alderman Fiske asked if medical marijuana could get federal approval.

Mr. Dooley stated that marijuana is a schedule 1 drug and not allowed in pharmacies – it isn’t regulated by the FDA.

Alderman Fiske asked about FDA approval.

Mr. Dooley stated that the goal is to reduce the label so that medical marijuana is recognized for medicinal purpose and made more available.
Alderman Fiske asked if anyone has applied for FDA approval.

Mr. Dooley replied that approval isn’t possible because it is still a Schedule 1 drug. The DEA will no longer prosecute people for using marijuana medicinally and has asked Congress has to reduce the label so it is no longer a Schedule 1 drug.

Alderman Burrus asked about clinical trials.

Mr. Dooley replied that there is one strain in Mississippi that is being researched. He further stated that trials are limited. MedFarm’s goal is for the Northwestern professors to research the strains the company is using to test the effects on specific things including pain, anxiety, and nausea and to find new uses.

Alderman Burrus asked if the company had approval to perform tests on people.

Mr. Dooley replied that they had permission and that the research is called patient outcome because patients are choosing to participate.

Alderman Burrus clarified that there are approval methods.

Mr. Dooley replied that there were.

Mr. Canning further clarified that the company was just looking for a letter stating that the City provides consent, but wouldn’t obligate the City. He thanked the Committee for its time.

Brothella Quick representing MedMar Dispensary of Evanston, stated that the location on Maple is the only one suited for a dispensary. 900 Clark Street is not available because the landlord is not willing to lease to a dispensary. The Copycat building is not suitable because the basement is damp and not conducive.

Mr. John Sullivan stated that he represents another medical marijuana company and spoke at length in support of the proposal.

Alderman Burrus called for other comments.

Alderman Tendam thanked the staff and stated that there was a lot to learn. He is encouraged by some groups and believes that this is the right move for Evanston. He stated that he supports medical marijuana and that it would benefit the City to rent a space that has been vacant. He further stated that the building is in a good location and close parking.

Alderman Grover made a motion to recommend move adoption of resolution 59-R-14 authorizing the City Manager to execute letters of contingent lease approval for the City owned property at 1800 Maple Avenue. Alderman Tendam seconded.

Alderman Holmes clarified that the City would provide letters.

Alderman Grover replied yes.

Alderman Braithwaite also clarified that there would be no discrimination in terms of who receives letters.

Alderman Fiske stated that the City needed language that would protect it from any potential liability.

Michelle Masoncoup stated that she would draft the lease and ensure that liability language is strong.

A voice vote was taken and it was approved 6-0.

VI. COMMUNICATION

HH5 Evanston Animal Shelter Update

Commander James Pickett, Community Strategies Division, provided an update on the status of the animal shelter since CARE and the City severed ties. Commander Pickett
stated that approximately 172 citizens continue to volunteer; this includes approximately 70 new volunteers. The storage area behind the shelter has been cleaned out and is now used for animal behavior assessments. 12 cats and 6 dogs are currently housed at the shelter. Since May 2014, 19 cats and 13 dogs have been successfully adopted, 11 cats and 6 dogs are in foster homes, and 2 cats and 5 dogs have been sent to rescue. The volunteers are working hard to only house animals for 20 days.

Commander Pickett also stated that dates have been set for volunteers to be SAFER Certified through ASPCA. Chief Animal Warden Linda Teckler and several volunteers will attend training in October through the Wisconsin Humane Society. Additionally, a SAFER Certified Trainer will complete further training in Minnesota. Commander Pickett stated that members of the Board of Animal Control have been appointed; he named the members and defined their goals. Commander Pickett stated adoption hours and ended by commending the volunteers and thanking them for their efforts.

Alderman Fiske commented that the volunteers appreciated Commander Pickett and the good working relationship that now exists. She thanked Commander Pickett for all his hard work.

Alderman Burrus called for other questions.

VII. ADJOURNMENT
Alderman Grover moved to adjourn. Alderman Holmes seconded. The meeting was adjourned at 7:58 pm.

Respectfully Submitted,

Jessica Wingader