

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, June 30, 2022 – 4:30 pm

1. The meeting was called to order at 4:30 pm in the City Council Conference Room.
2. In attendance was City Manager Doug Drysdale, Councilperson Chuck Norton, Councilperson Rita Gunaga, Councilperson Sussie O'Neil, David Scurto, Mike Hurley, John Allen, Ray Lemons, and JJ Hatzl.
3. Public Comments: None.
4. Items for General Discussion
 - i. Growing Marijuana Plants – It is believed the local ordinance states there can be a maximum of 12 plants grown within a household, but there are restrictions on that, including one that states no one under the age of 18 can live in a house where the plant is being grown. In addition, there are two existing provisions within the local ordinance, one for medical and one that prohibits recreational growing altogether. They are consistent with the state law. Councilperson Norton inquired on whether it's the same for homeowners or not. This will be looked into further.
 - ii. Ordinances of Nearby Cities – Some cities have overlay ordinances in the zoning, which involves landscape standards and transparency standards.
 - iii. The Police Chief of River Rouge stated the biggest issues in the city were with out-of-state customers coming to purchase marijuana and then proceed to walk through the neighborhoods. Kurt added that loitering outside the stores can be controlled by the facility itself.
 - iv. The City will benefit from property tax revenue, application fees, and money from the state (from the retail side). It may be possible that the growing facility could be labeled as agricultural, exempting them from property taxes. There is also a concern that the sales will cap out and the market will become oversaturated.
 - v. Goals – The Committee needs to decide which ordinances they want to bring to Council for approval, being sure to take the schools, parks, churches into consideration and whether they want to incorporate a metric/scoring system to decide who can operate within the City. Mike Hurley added that there will be litigation if you put a number on how many people can obtain a license and operate within the City.
 - vi. Next Meeting – Review the draft ordinance, spacing map, and locations of schools, parks, churches, etc.
5. Motion to Adjourn – Motion made by Doug Drysdale, supported by Councilperson Gunaga and Councilperson Norton, and carried unanimously.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, July 14, 2022 – 4:30 pm

1. The meeting was called to order at 4:32 pm in the City Council Conference Room.
2. In attendance was City Manager Doug Drysdale, Councilperson Chuck Norton, Councilperson Rita Gunaga, Councilperson Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, Resident Ray Lemons, and School Superintendent JJ Hatzl.
3. Public Comments: None.
4. Items for General Discussion

4.1 Based on other cities' list serves:

Pros:

1. Increased property values as buildings are purchased/remodeled/renovated.
2. State tax distributions (excise tax that comes back to municipalities) are a good, short term infusion of cash. This amount depends on retail prices of marijuana. If it's sold at a lower retail price, the state will collect a lower tax amount. Retail prices have already decreased from \$213/ounce in July 2021 to \$135/ounce in May 2022, according to an industry expert. Also, the amount of sellers may decrease as larger companies force out the smaller ones.

Cons:

1. Odor complaints from adjacent businesses (some comments stated no odor issues at all). Councilperson Norton added that this may depend on whether it's a commercial growing facility or a provision center. Doug suggested having a strong odor mitigation plan and if the City chooses, specific language in the ordinance regarding consumption facilities or special events. As far as homeowners growing in their homes, Councilperson Norton added that if someone is willing to come into court and justify that the odor coming from a home is obnoxious/offensive, then the court will take that into consideration.
2. Marijuana businesses tend to sue municipalities that restrict the amount of businesses within a city. Doug suggested not putting a set number in an ordinance and instead, figuring out where they can be located with enough distance from schools, churches, parks, etc. Other cities have put a limit on how many applications can be viewed at one time.

4.2 Dave provided a map of restricted areas in the City, including churches, parks, schools, and daycare facilities. The Committee has to determine how many feet from restricted areas that they will allow these businesses to operate. Dave suggested 300 foot separations. Councilperson Gunaga suggested adding liquor

stores as a restricted area on the map. She also suggested having a larger separation between schools and the marijuana businesses, possibly a 500 foot separation.

- Consider two different land uses - principal use and special land use.

4.3 Doug presented a draft ordinance listing specific business locations that are allowed in Westland. Councilperson Norton added that cities that have implemented this type of ordinance which limits the number of businesses have been sued. Councilwoman Gunaga suggested allowing no more than 2 provision centers.

4.4 Next steps :

1. Dave will provide a map that also shows residential areas and liquor stores. He will also bring the special land use ordinance.
2. Committee members will send Doug suggestions on what they think should be included in the ordinance so the City Attorney can draft one out.
3. Invite someone from the Guidance Center to attend next meeting.

5. Other Business

- Commercial growing facilities will have less in-and-out traffic than provisioning centers.
- Application fees – The City will collect application fees for each type of license a business is applying for.
 - Councilperson Norton pointed out that in the draft ordinance if the applicant is denied, they may be entitled to half of their money back. Doug stated that is up to the City whether they want to put that in their ordinance or not.
 - The Committee also needs to decide who will review the applications. Councilperson Gunaga and others agreed that the review board should include a Riverview resident and not a resident of another city.
- It may be beneficial to hold a public forum to discuss this with residents to see if there's any opposition.

6. Motion to Adjourn – Motion made Doug Drysdale and carried unanimously.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, August 11, 2022 – 4:10 pm

1. The meeting was called to order at 4:10 pm in the City Council Conference Room.
2. In attendance was City Manager Doug Drysdale, Councilperson Chuck Norton, Councilperson Rita Gunaga, Councilperson Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, School Superintendent JJ Hatzl, Resident Ray Lemons, and Resident Pamela George Brown.
3. Public Comments: None.
4. Approval of 6/30/22 and 7/14/22 Meeting Minutes: Motion made by Doug Drysdale, moved by Councilperson O'Neil, supported by Councilperson Gunaga, unanimously carried.
5. Items for General Discussion
 - 5.1 Substance Abuse Counselors: JJ Hatzl will reach out to substance abuse counselors to invite them to one of the upcoming Committee meetings.
 - 5.2 Map of Restricted Areas:
 - Doug Drysdale handed a map out to everyone. It showed that the available properties for marijuana businesses are on:
 - 1) Fort St. between DaVita Dialysis and Sibley Rd.
 - 2) Near the Riverview Commons Plaza, close to Burger King
 - 3) All of West Jefferson between Sibley and Pennsylvania
 - 4) The parcels next to the medical offices on King Rd.
 - 5) The parcels east of the landfill entrance on King Rd.
 - The use of buffers will be important because they will limit the amount of marijuana facilities that can exist within the city. The Committee decided they will use the 300 ft. buffer from residential homes. Also, they will need to take into consideration restricted areas in neighboring cities.
 - The Committee agreed that Fort St. would be a better location for marijuana businesses and not within the neighborhoods.
 - Per MCO 333.27959, the distance from schools needs to be at least 1,000 ft. and the distance from churches needs to be at least 500 ft.
 - 5.3 Draft Ordinance Revisions:
 - The ordinance does not mention anything about growing facilities, only retail and provisioning centers.
 - The use of "cannabis, marijuana, or marihuana" was discussed. The state statute uses the term "marihuana." The legal term is "cannabis." City Attorney Randy Pentiuk sent information to the Committee members regarding the term "marijuana," saying it is a derogatory term and he suggests using "marijuana" instead. JJ Hatzl suggested adding a definition in the ordinance and including all of the terminology in it.

- Section 14-672 implies that there is a selection process, which is what the Committee decided to stay away from and use spacing requirements instead. The wording in that section will need to be changed. As far as a Review Board, Mike Hurley made everyone aware that the Mayor, with Council's approval, appoints the members of the Review Board.
- Dave Scurto will review Section 14-690 and add in which business districts the marijuana businesses will be permitted to operate in.

5.4 Next Steps:

- Dave Scurto will bring a map showing a 300 ft. buffer from residential areas. The map will also highlight the required distances from schools (including the cosmetology school) and churches. It will also point out the parcels that are open for development for marijuana businesses.
- Mike Hurley will check the state statute regarding distances between growing facilities/provisioning centers and schools and churches, also whether they are required or not.

6. Other Business

- The sale of marijuana and related products may bring more people in the city and ultimately benefit businesses.
- Doug Drysdale informed the Committee of the two options for getting the ordinance on a ballot. One is allowing an outside group to come in and create an ordinance (which would mean less control over the wording of the ordinance). The Committee decided they do not want this option. The second option is for the Committee to create the ordinance and City Council will put it on the ballot. The ordinance wouldn't be able to be changed for two years once it's voted on.
- A petition could be started if the City does not take action on coming up with an ordinance.

7. Motion to Adjourn: Motion made Councilperson O'Neil, supported by Councilperson Gunaga, and carried unanimously.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, August 29, 2022 – 4:30 pm

1. The meeting was called to order at 4:30 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilperson Rita Gunaga, Councilperson Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, and Resident Ray Lemons. Resident Pamela George Brown was excused.
3. Public Comments: Chairman Norton requested to move this item to later in the agenda. Motion made by Ray Lemons, supported by Councilperson O'Neil, and approved unanimously.
4. Agenda approved with a change to move Item 3 to Item 7 and move items 7 and 8 down. Motion made by Ray Lemons, supported by Councilperson Gunaga, and approved unanimously.
5. Approval of 8/11/22 Meeting Minutes: Motion made by Chairman Norton, supported by JJ Hatzl, and approved unanimously.
6. Items for General Discussion
 - 6.1 Map of Restricted Areas – Dave Scurto presented a map and described the location of available properties. The committee discussed the minimum spacing between marijuana uses. No action taken.
 - 6.2 Updated Draft Ordinance - Mike Hurley presented the updated marijuana ordinance. Direction was given to the attorney to investigate spacing requirements for liquor businesses.
 - 6.3 Substance Abuse Counselors – Counselors presented information and facts on marijuana and vape use. Information will be forwarded on request.
 - 6.4 Chairman Chuck Norton asked the committee members to review the new information for the next meeting.
7. Public comments
 - C. Molino - Marijuana is legal but agrees to keep it away from children. Security and spacing between uses are important.
 - C. Norton presented voting results of marijuana legislation.
 - J. Molino – Offered remarks about specific parts of the draft ordinance.
8. Other Business: None.
9. Motion to Adjourn: Motion made Councilperson O'Neil, supported by Councilperson Gunaga, and carried unanimously.

Meeting of the Ad Hoc Marijuana Businesses Committee
Friday, September 9, 2022 – 2:00 pm

1. The meeting was called to order at 2:02 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilperson Rita Gunaga, Councilperson Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, Resident Ray Lemons, and Resident Pamela George Brown.
3. Agenda approved as presented: Motion made by Councilperson Sussie O'Neil, supported by Councilperson Gunaga, and approved unanimously.
4. Approval of 8/29/22 meeting minutes: Motion made by Councilperson O'Neil, supported by Councilperson Gunaga, and approved unanimously.
5. Items for General Discussion
 - 5.1 List of MI Opt-In Cities: List was presented to the committee. Committee would like to know which cities approved recreational and which cities approved medical.
 - 5.2 Next Steps:
 - Specific ordinance changes are needed. It was recommended to submit a Marijuana Business Ordinance to City Council for consideration.
 - 300 foot spacing from affected property to front door of provisioning center.
 - Set up a rating system.
 - Determine selection standards (remove non-ambiguous standards)
 - Update map to add residentially used land.
6. Public comments: Clarify if grow business allowed.
7. Other Business: None.
8. Motion to Adjourn: Motion made Councilperson O'Neil, supported by Councilperson Gunaga, and carried unanimously. Meeting adjourned at 3:05 pm.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, , 2022 – 4:30 pm

1. The meeting was called to order at 4:30 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilmember Rita Gunaga, Councilmember Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, and Resident Pamela George Brown. Resident Ray Lemons had been excused. ----INCORRECT
3. Agenda approved as presented: Motion made by Jeff Dobek, supported by Councilperson Gunaga, and approved unanimously.
4. Approval of 9/9/22 meeting minutes: Motion made by Councilperson Gunaga, supported by Ray Lemons, and approved unanimously.
5. Items for General Discussion
 - 5.1 Revised Ordinance: Mike Hurley presented the ordinance and posed questions. The Committee discussed missions and direction of the Committee.
 - 5.2 Next Steps:
 - The Committee will review the draft ordinance and send revisions and questions to Mike Hurley.
 - A new map showing residential "used" properties.
 - Next meeting will be October 6th at 4:30 pm.
6. Public comments:
 - Dave Robbins thanked the committee for their diligence. He also inquired on whether the 300' spacing requirement can be altered. He stated that residents seem more open to allowing marijuana use and that the city should consider grow operations.
 - Mr. Griffin – Offered advice on marijuana businesses as he is in the business himself.
7. Other Business: Councilperson Norton clarified the 2018 voting results for marijuana use.
8. Motion to Adjourn: Motion made Ray Lemons, supported by Mike Hurley, and carried unanimously. Meeting adjourned at 5:26 pm.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, October 6, 2022 – 4:30 pm

1. The meeting was called to order at 4:30 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilmember Rita Gunaga, Councilmember Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, and Resident Pamela George Brown. Resident Ray Lemons was excused.
3. Agenda approved as presented: Motion made by Pam Brown, supported by Councilmember Gunaga, and approved unanimously.
4. Approval of 9/22/22 meeting minutes: Motion made by Jeff Dobek, supported by Councilmember O'Neil, and approved unanimously.
5. Items for General Discussion
 - 5.1 Revised Spacing Map: The Committee wished to have the map revised to add 300' spacing from residentially used land in an M-1 light industrial zoning district.
 - 5.2 Next Steps:
 - Revise map.
 - Complete ordinance.
 - Next meeting will be October 19th at 4:00 pm.
6. Public comments:
 - Mr. Molina addressed Fort St.
 - Mr. Griffin suggested that zoning can be carved out.
7. Other Business: None
8. Motion to Adjourn: Motion made by Jeff Dobek, supported by Councilmember Gunaga, and carried unanimously. Meeting adjourned at 5:00 pm.

Meeting of the Ad Hoc Marijuana Businesses Committee
Wednesday, October 19, 2022 – 4:30 pm

1. The meeting was called to order at 4:00 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilmember Sussie O'Neil, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, Resident Pamela George Brown, and Resident Ray Lemons. Councilmember Rita Gunaga had been excused.
3. Agenda approved as presented: Motion made by Jeff Dobek, supported by Pamela Brown, and approved unanimously.
4. Approval of 10/06/22 meeting minutes: Motion made by John Allen, supported by Councilmember O'Neil, and approved unanimously.
5. Items for General Discussion
 - 5.1 Revised Spacing Map: Dave Scurto explained the revisions that were made to the map.
 - 5.2 Revised Ordinance: Several questions were discussed and answered. There will be a change to Section 14-669(e).
 - 5.2 Next Steps:
 - Mike Hurley will finalize ordinance revisions and draft a final report.
 - Next meeting will be November 3rd at 4:30 pm to vote on recommendation.
6. Public comments:
 - There was a question on the next meeting.
 - Bill Towle asked if Council will decide whether the ordinance will go for a vote.
7. Other Business: None.
8. Motion to Adjourn: Motion made Pamela Brown, supported by Jeff Dobek, and carried unanimously. Meeting adjourned at 4:41 pm.

Meeting of the Ad Hoc Marijuana Businesses Committee
Thursday, November 3, 2022 – 4:30 pm

1. The meeting was called to order at 4:30 pm in the City Council Conference Room.
2. In attendance was Interim City Manager Jeff Dobek, Chairman Chuck Norton, Councilmember Rita Gunaga, Community Development Director Dave Scurto, City Attorney Mike Hurley, Police Chief John Allen, School Superintendent JJ Hatzl, Resident Pamela George Brown, and Resident Ray Lemons. Councilmember Sussie O'Neil was on speaker phone.
3. Agenda approved as presented: Motion made by Ray Lemons, supported by Jeff Dobek, and approved unanimously.
4. Approval of 10/19/22 meeting minutes: Motion made by Councilmember Gunaga, supported by Ray Lemons, and approved unanimously.
5. Items for General Discussion
 - 5.1 Cannabis Ordinance: Motion to approve the Cannabis Ordinance as written. Motion made by Ray Lemons, supported by Councilmember Gunaga, and approved by all except JJ Hatzl, who abstained.
 - 5.2 Final Report: Motion to approve the Final Report as written. Motion made by Councilmember Gunaga and supported by Pamela Brown. Approved by Jeff Dobek, Councilmember Norton, Councilmember Gunaga, Councilmember O'Neil, Dave Scurto, Mike Hurley, John Allen, and Pamela Brown. Those who opposed included JJ Hatzl and Ray Lemons.
 - 5.3 Next Steps: Present Cannabis Ordinance and Final Report at next City Council Study Session.
6. Public comments:
 - Curt Molino thanked the Committee for their time and effort.
 - Stephanie McKeith stated she was impressed by the energy, due diligence, and effort of the Committee.
 - Ken Kileman complimented the Committee. He asked that the information presented in the meeting be seen by the public prior to the next Council Meeting.
 - Councilmember Robbins thanked the Committee for their time and effort.
7. Other Business: None.
8. Motion to Adjourn: Motion made Pamela Brown, supported by Mike Hurley, and carried unanimously. Meeting adjourned at 4:55 pm.

