



CITY OF RIVERVIEW
MAYOR/COUNCIL SERVICE REQUEST/ RESPONSE FORM

From: CouncilMember Dean Workman
To: City Manager
Date: 07/13/2023

Routing-For Administrative Use Only:
Dept:
Date Sent:
Respond By: ----

REQUEST SUMMARY- Inquiry/ Information Request:
Type here:

1. Please have Mr. Scurto through the history of the Marijuana Committee, including the number of meetings, who was invited to speak and who served on it.
2. How was the ordinance that was adopted developed? I keep hearing that the Committee just rubber stamped an ordinance that was thrust upon them by the City Attorney's representative and the Community Development Director – which I find insulting to the Council members who served on the Committee, since it implies that they were derelict in their duty. Tell us how it came about, who was involved and the thought process involved.
3. What sample ordinances from other cities were considered and how did the Committee analyze them.
4. Please describe the pros and cons of the ordinance that was adopted – and give us your professional opinion of our ordinance. I am not asking you if you support having marijuana but rather your view of it from your knowledge and experience.
5. Aside from West Jefferson, how many licenses are possible? I know that you answered 9 in total but I want it in writing so it can be shared on the City website to shut down the rumor mill and the exaggerated claims that are being spread.
6. We read a lot about lawsuits being filed against cities during the application stage. Have we been sued?

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RESPONSE TO REQUEST- ACTION TAKEN: DATE:

Note: All completed service requests are to be returned to the City Manager's office within 5 (five) working days via electronic mail (e-mail). No handwritten or non-electronic submittals will be accepted. (See Administrative Regulation #2)

Start Typing Here:

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TIME/ RESOURCES TO PROCESS SERVICE REQUEST:
City Manager -

CITY MANAGER'S COMMENTS: DATE:

RESPONSE TO COUNCILPERSON WORKMAN'S INFORMATION REQUEST

1. Please have Mr. Scurto through the history of the Marijuana Committee, including the number of meetings, who was invited to speak and who served on it.

RESPONSE: The marijuana committee met ten times between June 30, 2022 and November 3, 2022. Two substance abuse counselors presented information at the August 29, 2022 meeting. All meetings allowed for public comment.

Committee members included Councilpersons, Chuck Norton, Sussie O'Neal and Rita Gunaga, Riverview School superintendent JJ Hatzl, city managers Doug Drysdale and Jeff Dobek, community development director Dave Scurto, police chief John Allen, city attorney Mike Hurley and residents Pamela Brown and Ray Lemons.

2. How was the ordinance that was adopted developed? I keep hearing that the Committee just rubber stamped an ordinance that was thrust upon them by the City Attorney's representative and the Community Development Director —which I find insulting to the Council members who served on the Committee, since it implies that they were derelict in their duty. Tell us how it came about, who was involved and the thought process involved.

RESPONSE: The adoption of the ordinance started with the Committee reviewing facts and State of Michigan requirements, listening to invited guests and persons in the audience, the city's professionals. Several ordinances from other communities were evaluated by the Committee. The Committee members were all well-versed and it was evident that all had done their own independent research prior to, and throughout the process. The Committee then directed the City Attorney to draft ordinance that reflected the agree-upon approach, and for the Community Development Director to prepare a draft spacing map. These were presented to the Committee on August 29, 2022. The ordinance and map were discussed extensively and revised until the November 3, 2022, meeting, at which time it was approved by majority vote of the Committee. At this point, the documents were submitted to City Council for consideration.

All Committee members participated throughout the many meetings that were held. Each was fully informed and offered opinions and input which led to the final product that was presented to the City Council. There was considerable discussion on selecting the model that best suited Riverview and would minimize the risk of litigation, and it was determined that we should use an approach that avoided the selection scoring system that has led to multiple lawsuits in other municipalities. Instead, the direction taken here is to use a spacing arrangement as described below. Please refer to #4 below.

3. What sample ordinances from other cities were considered and how did the Committee analyze them.

RESPONSE: Examples from the cities of Westland, Center Line, Trenton, Ann Arbor, Hazel Park, Ypsilanti, Jackson, Warren, Marquette, and Allegan were evaluated by the city staff assigned to the committee. Of these, Marquette and Allegan were important because they are “no cap-zoning dependent” ordinances. The philosophies of the various methods of regulation were discussed by the committee and then reviewed by staff for how to apply specifics regarding location, an approval process and selection options. These details were then presented for discussion to the Committee as a whole and direction was voted on as to what method of regulation and ordinance to recommend to City Council.

4. Please describe the pros and cons of the ordinance that was adopted — and give us your professional opinion of our ordinance. I am not asking you if you support having marijuana but rather your view of it from your knowledge and experience.

RESPONSE:

Pros: The ordinance regulates the number of cannabis licenses by applying dimensional spacing requirements from residences, schools, places of worship and other cannabis businesses rather than by a maximum number. This method of regulation is intended to eliminate litigation from unsuccessful applicants whose application would not have been chosen by a city’s selection committee using subjective criteria. The city has not had any such lawsuits while many others who adopted a selection committee method type of ordinance, have.

Cons: Other than the politics that have developed during the ordinance adoption process and subsequently, there have not been any problems in the application and administering of the ordinance so far.

5. Aside from West Jefferson, how many licenses are possible? I know that you answered 9 in total but I want it in writing so it can be shared on the City website to shut down the rumor mill and the exaggerated claims that are being spread.

RESPONSE: Seven (7) businesses can locate on the west side of Fort Street and north side of King Road based on current zoning requirements. Two (2) additional businesses may be able to locate on King Road if a property sale and lot division happens.

6. We read a lot about lawsuits being filed against cities during the application stage. Have we been sued?

RESPONSE: No. the city has not been sued over its Cannabis Business License ordinance.