

**CITY OF BIG RAPIDS
CONDENSED COMMISSION PROCEEDINGS
SPECIAL JOINT MEETING WITH BIG RAPIDS CHARTER TOWNSHIP**

May 3, 2017

Mayor Mark J. Warba called the special meeting of the City Commission to order 6:30 p.m. at 14485 Northland Drive.

Present: Commissioners Lynn Anderson, Tom Hogenson, and Lorraine James, Mayor Mark J. Warba; City Attorney Eric Williams; City Manager Mark Gifford and City Treasurer Aaron Kuhn.

Absent: Commissioner Rothstein

PLEDGE OF ALLEGIANCE

GENERAL BUSINESS

The purpose of this special meeting was to discuss the new marijuana law. This was a joint session with the Big Rapids Charter Township Board. No action was taken. The people who gave a presentation in support of Medical Marijuana were Kevin Chang from Wild Bill Tobacco and Oasis Wellness Center and Kimberly and Gina Yob from Shades of Green Consulting.

The people who gave a presentation in opposition were Eric Williams, local and City Attorney, James Eddinger, Director of Public Safety, and Brian Thiede, Prosecuting Attorney.

Kevin Chang from Wild Bill Tobacco and Oasis Wellness Center

The Michigan Medical Marijuana Act passed in 2008 by 63% of the voters. Every single county in Michigan voted in favor of this act.

There are two categories of people regarding medical marijuana.

Qualifying Patient – may possess up to 12 plants or 2.5 ounces of marijuana.

Primary Caregiver - may grow marijuana for medical purposes only for themselves and their patients. May grow up to 12 plants for each patient including themselves.

The reason that Mr. Chang is supportive of medical marijuana is to try to have better regulations established. Over the last 9 years, the demand for a marijuana industry has prompted black market dispensaries, which go unchecked. Some of these dispensaries harvest in excess of the permitted amount. It is very difficult for law enforcement to catch these caregivers in the act.

Mr. Chang believes that in order for this to work there needs to be stiffer regulations and state bills that have been passed need to be clarified.

Licenses – There are five licenses that will be able to be obtained through the Department of Licensing and Regulatory Affairs (LARA), effective December 15, 2017. They are: Growers, Processor, Provisioning Center, Secure Transporter, and Safety Compliance Facility.

A tax will be imposed on each provision center at the rate of 3% of its gross retail receipts. The money will be allocated as follows: 25% municipalities in which a marijuana facility is located, 30% to counties in which a marijuana facility is located, 5% to counties in which a marijuana facility is located for sheriffs, 30% to the State, 5% to Michigan Commission on Law Enforcement Standards, and 5% to the Department of State Police.

A municipality could enact regulatory and zoning ordinances to authorize, regulate, and zone certain types of marijuana facilities, limit the number of licenses for each type of facility, and charge an annual licensing fee up to \$5,000.

A marijuana facility may not operate in a municipality unless the municipality has adopted an ordinance authorizing that type of facility.

Kimberly and Gina Yob from Shades of Green Consulting

Shades of Green is a consulting firm in which companies hire to talk to municipalities explaining what this would mean to their community.

There are currently 736 registered patients in Mecosta County who are using medical marijuana. Care givers are supplying these people marijuana in smokeable form and edibles. A patient can only get marijuana from a caregiver and they are not always easy to find. Pharmacies cannot supply this type of medicine due to Federal regulations.

It is hard for people to find caregivers and when they do find one, it is unknown as to whether the product is safe to smoke or eat. These do not need FDA approval. People need to know that what they are receiving is safe for them.

Eric Williams, local and City Attorney

Mr. Williams went over the regulations for Medical Marijuana and Michigan Municipalities. This was a 25-page document and a copy can be found with these minutes.

James Eddinger, Director of Public Safety

Mr. Eddinger handed out a public health newsletter from Cherry Health that outlined some health concerns regarding medical marijuana. Some of these are as follows:

- Children finding and eating the edible form of marijuana and ending up in the hospital.
- Traffic fatalities relating to marijuana have increased.
- Marijuana has high levels of THC which have led to increased psychotic episodes as well as other health complications.
- Other impacts are: odors, trash, security concerns, traffic and crime.

Mr. Eddinger is not in favor of allowing facilities into the community.

Brian Theide, Prosecuting Attorney

Mr. Theide talked about the major problems associated with allowing marijuana facilities in the area. Once these facilities are established, the mob moves into the area and they run large operations and ship the product out.

Marijuana is still illegal federally. The Federal Government can shut these business down if they want to. It is federally illegal for the state and local government to receive licensing fees for these businesses. These businesses cannot deposit their money into a bank because it is federally illegal. They must keep their money somewhere else and are always dealing with large amounts of cash. This can lead to unwanted crime.

MUNICIPALITY AND TOWNSHIP COMMENTS

Penny Currie – How will this curb illegal growers? If these facilities were allowed in and had better regulation, it would put the illegal dispensaries out of business. The marijuana overage would not be going to the black market dispensaries. Patients will move over to the larger facility where they know the product has been tested and is safe.

Bruce Everett – City can require the facilities to have barb wire fencing, security and cameras.

Commissioner Hogenson – Would like to hear from people who are currently using medical marijuana and the benefits that they receive from it.

Mayor Warba – How does a person get a medical marijuana card? A doctor is not permitted to prescribe anyone a medical marijuana card because of federal regulations. The doctor gives the patient a letter of recommendation, the patient takes this letter to the State of Michigan and the State issues the medical marijuana card.

Bill Stanek – Will the State have this in place by December? LARA is currently working on the laws that will govern this act. They send out surveys on a weekly basis gathering information to use when considering how to write the law.

PUBLIC COMMENT

Pat Currie, Big Rapids, spoke against having any marijuana facilities in the City of Big Rapids. He has spoken to local residents who smoke marijuana for medical purposes and for recreational use and does not believe that there is a need for this type of business in the City of Big Rapids. Mr. Currie also stated that if law enforcement is against it, then he is against it. We must rely on their opinion.

Connie Duffett, Big Rapids, spoke against having any marijuana facilities in the City of Big Rapids. Her son lives in Washington D.C where recreational marijuana is legal. They cannot have their windows open due to the smell of marijuana. Ms. Duffett commented that it was hard to take her grandchildren to the park due to the smell.

Dick Wheeler, Morton Township Supervisor, commented that Morton Township had voted against allowing facilities to reside in Morton Township.

Bruce Borkovich, Ferris State Public Safety, spoke in opposition of marijuana facilities in the area. Mr. Borkovich commented that he was a drug team leader for six years and stated that 9 out of 10 people he encountered had a medical marijuana card. Marijuana used to have around 5% of THC, now it is at levels of around 15-40%. The medical community does not know at this time how the high levels of THC will impact people.

There being no further comments to come before the City Commission, and Big Rapids Charter Township the Mayor declared the meeting adjourned at 8:35 p.m.

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Mayor Mark J. Warba

Tamyra K. Gillis, City Clerk