

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Action Minutes

Tuesday, March 21, 2017

4:30 PM

Special Meeting

Larcom City Hall, 301 E Huron St, Basement, conference room

Medical Marijuana Ordinance Review Committee

CALL TO ORDER

The meeting of the Medical Marijuana Ordinance Review Committee was called to order by the Chair, Jonah Copi, at 4:33 p.m. in the Basement Conference Room of the Guy C. Larcom, Jr. Building, 301 E. Huron Street.

ROLL CALL

Community Services Area Administrator Derek Delacourt, City Clerk Jacqueline Beaudry and Assistant City Attorney Kristen Larcom were also in attendance.

Present 3 - Jason Frenzel, Jonah Copi, and Craig Stoller

Absent 2 - Chip Smith, and Brian Fenech

APPROVAL OF AGENDA

A motion was made by Councilmember Frenzel, seconded by Stoller, that the Agenda be approved as presented. On a voice vote, the Chair declared the motion carried.

APPROVAL OF MINUTES

[17-0401](#)

Medical Marijuana Ordinance Review Committee Meeting Minutes of February 22, 2017

Attachments: 02-22-17 Med Marijuana Review Cmttee draft minutes.pdf

A motion was made by Councilmember Frenzel, seconded by Stoller, that the February 22, 2017 Minutes be approved by the Board and forwarded to the City Council by 5/15/2017. On a voice vote, the Chair declared the motion carried.

SPECIAL PRESENTATIONS

Reports from AAPD and AAFD regarding Medical Marijuana Industry and Impacts in Ann Arbor

Lt. Matt Lige of the Ann Arbor Police Department, Lt. Dale Smith from Michigan State Police and Ann Arbor Fire Marshal Reka Farrackand were in attendance to present on the public safety and security impacts of the medical marijuana industry in Ann Arbor.

Lt. Smith from MSP spoke about several high profile robberies, one in 2010, that had occurred as a result of medical marijuana dispensaries. He noted that he couldn't speak to the City's Ordinance as the State Police only enforce State law, not local ordinance, so he is not familiar with the City's local codes.

From a City perspective, Lt. Lige stated the AAPD has handled some quality of life calls, such as parking issues, noise and neighborhood concerns about the impact of the industry when located in residential areas. He also addressed the 2010 robbery, stating it was a very high profile case and unusual for Ann Arbor to see this type of violent crime. Lt. Lige stated he would like to review the current ordinance and listen to today's conversation. He stated he would be available to provide more feedback at a later date.

Lt. Smith provided several safety and security recommendations for high-risk businesses that handle high volumes of cash, such as two-door entries and two-tier security measures. He stated businesses that deal in high volumes of cash can be a crime risk.

Mr. Delacourt asked if there would be any concern or objection to the issuance of any of the five new license types. Lt. Smith replied that it was too early to have an opinion on the different types of licenses.

Reporting from the Ann Arbor Fire Department, Fire Marshal Reka Farrackand discussed her concerns with the storage of CO2 tanks, which are often used in the growing process. She stated there are safety concerns regarding the storage of the tanks and the lines used within the buildings.

Councilmember Frenzel questioned how the tank use and storage would be regulated. Ms. Farrackand replied that the City Code addresses this issue. Councilmember Frenzel requested that Assistant City Attorney Larcom follow-up on this issue and how to proceed, including the necessary citation in the City Code.

Chair Copi inquired if the Fire Department had received any calls related to medical marijuana. The Fire Marshal replied that they had not.

NEW BUSINESS

Review Current Ordinance - Chapter 95

Community Services Area Administrator apologized that the draft ordinance was not yet ready for the committee's review. He suggested that the committee provide their suggestions for changes based on what is in the current ordinance.

Committee members reviewed Mr. Fenech's written comments, which were provided to the City Clerk in advance of the meeting.

Councilmember Frenzel stated the "capping" issue needs to be reviewed (Section 7:502 (4)). He also discussed the "grandfathered" businesses that have operated since before the original ordinance.

Under Section 7:502(7), it was suggested that the requirement of Council approval annually was similar to the annual renewal of liquor licenses. The committee discussed whether this requirement should continue. Clerk Beaudry also asked for clarification regarding the ordinance language requiring a licensing board. Councilmember Frenzel stated he thought there was value in continuing an annual renewal and review.

Chair Copi recommended that all of the terms be updated to match the terms in the new State law. He also discussed a moratorium on any new retail operations.

Councilmember Frenzel stated the committee needs to look to the City Attorney's Office regarding capping and moratoriums and what options they have moving forward.

Mr. Stoller questioned why the City would need to cap the licenses, noting that this is not typical in other medical industries. He also asked if one applicant could apply for and receive more than one of the five types of licenses. A member of the audience, Sandra McCormick, from the MCDA, stated the secure transporter and the safety compliance licenses must be separately held.

Mr. Delacourt questioned the capping of licenses and the number that might be made available.

Chair Copi replied that he thinks the current number of dispensaries meets the demand and the provisioning centers should follow that number, noting that the City does not want to approve too many. He noted that the signage requirements of Section 7:503(2) should be clarified.

There was also discussion about whether the language required in Section 7:504(4)(b) was still necessary.

NEXT AGENDA ITEMS

Mr. Delacourt noted that staff would schedule the next meeting once the draft ordinance was ready for review.

COMMUNICATIONS

None.

PUBLIC COMMENT

An unknown speaker addressed the 2010 robbery, stating there were rumors of guns, narcotics and cash, stating operators have a target on their backs.

Sandra McCormick, MCDA, spoke about the butane issue, stating zoning ordinances will address this. She suggested the City consider grandfathering existing business.

An unidentified speaker questioned what stops a new business from opening tomorrow. He stated a moratorium on new provisioning centers is needed until the new ordinance is in place.

An unidentified speaker stated the City's list of 13 dispensaries is not accurate. He stated there are rumors of many more businesses currently operating today. (Mr. Delacourt replied that the Community Services Area is looking into this issue. Councilmember Frenzel asked for an update.)

An unidentified speaker asked how Ann Arbor would handle licensing of existing businesses if the State denies an application. (Chair Copi replied that the ordinance will address that issue.)

ADJOURNMENT

Seeing no further business, the Chair declared the meeting adjourned at 5:28 p.m.

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