

**PROCEEDINGS
OF
THE COMMITTEE OF THE WHOLE
OF THE
CITY OF LOWELL
MONDAY, AUGUST 7, 2017, 5:30 P.M.**

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL.**

The Meeting was called to order at 5:30 p.m. by Mayor Mike DeVore and City Clerk Susan Ullery called roll.

Present: Councilmembers Greg Canfield, Jim Hodges, Jeff Phillips, Alan Teelander and Mayor DeVore.

Absent: None.

Also Present: City Manager Mike Burns, City Clerk Susan Ullery, City Attorney Richard Wendt, and DPW Director Rich LaBombard.

2. **APPROVAL OF THE AGENDA**

IT WAS MOVED BY HODGES and seconded by PHILLIPS to approve the agenda as written.

YES: Mayor DeVore, Councilmember Hodges, Councilmember Phillips, Councilmember Teelander, and Councilmember Canfield. NO: None. ABSENT: None. MOTION CARRIED.

3. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.**

There were no comments.

4. **DISCUSSION REGARDING MEDICAL MARIHUANA.**

City Manager Mike Burns advised that in February, an attorney from Dickinson and Wright gave a presentation about the updated changes to the Medical Marihuana Act. In February, there was no action taken by the Council which means the City of Lowell is not opting into the new ordinance.

Representative Greg Boer from the Kent County Prosecutor's Office will inform the Council of the Act. The Prosecutor's Office has been going to different municipalities across Kent County and informing municipal bodies of the new act that takes effect on December 17, 2017. They are taking a neutral position on this matter.

Connor Baker from Buzz Solutions will also speak on their request for the City to consider opting into the Medical Marihuana Act and their interest of establishing a provisioning center in the City.

Boer gave his presentation and provided handouts to the City Council. He advised that as an initial matter, one should be conscience of when you make a determination whether to allow provisioning centers or any other entities under the new act being allowed in the City, that you're not giving your citizens any immunity from Federal Law. Right now, Federal Law still criminalizes the manufacture, possession and delivery of Marihuana. Even though, under State Law, you're providing legal cover for these entities to operate, it doesn't provide them any immunity from any action the Fed's can take.

Boer went on to explain to the Council as to the number of plants that can be grown and harvested by the provisioning centers. He also explained that the marihuana can be made into edibles as well. Edibles have been ingested by individuals and there have been overdoses where patients were taken to the hospital.

All the regulations for these entities come out of Lansing from the Licensing Regulatory Affairs Bureau and once these get launched, you lose a lot of control. They've argued that it can also be used to treat glaucoma, seizures and other health related issues, but he went on saying that the average age using medical marihuana is between 18 and 34 and the most common medical complaint is chronic pain, not glaucoma or other health related issues.

Boer handed out pamphlets from the Insurances of Highway Safety which links an increase number of car crashes in jurisdictions that have a higher marihuana use. Also, the revenue that is being generated out of Colorado isn't significant.

Burns asked Boer if he was aware as to how many communities in Kent County have opted in. Boer was not aware of any in Grand Rapids or Kent County.

Councilmember Canfield asked if sales tax would be paid on this. City Attorney Dick Wendt advised that 3% would be paid to the State and then this administrative board would distribute 25% of this to municipalities, depending on the number they have.

Councilmember Teelander advised he attended a Medical Marihuana seminar in Gaylord that was put on by the MML.

Connor Baker of Buzz Solutions and a medical marihuana caregiver spoke on behalf of medical marihuana and gave a slide show presentation. Baker advised that in 2008, citizens of Michigan voted to legalize medical marihuana for those who had qualified medical conditions.

As of December of 2016, there were approximately 218,000 registered patients in Michigan, 8,700 registered patients in Kent County and approximately 25,000 registered patients in surrounding counties. Without regulation, quality control and legal dispensaries, patients are subject to purchasing from the black market, which can be dangerous and illegal and as a result, they are mostly likely not receiving the best medicine for their conditions.

Baker went on to explain the benefits of allowing Medical Marihuana Dispensaries in the City and how it will help patients that are in need of quality medical marihuana that has been lab tested and labeled, creates tax revenue and creates jobs. He explained how they would like to give back to the community, which is very important to them. This would be in addition to any fees and tax revenue the City would receive, they would like focus on youth programs, donating schools supplies and computers to local schools, partnering with local summer camps, and provide tuitions for summer camps for families that cannot afford these things.

Councilmember Teelander asked if THC was active or is it just active when heated. Kathleen Graham, a registered nurse spoke about THC and how it is not active until it is heated.

Burns advised that if the City was to grant this, obviously, they can't store the money in banks and asked Baker what things he was doing to protect himself if he is storing money in the business. Baker advised they would be hiring security guards and they would have safes and locks.

Councilmember Phillips asked if Baker has been seeking comments from the public. Baker advised they have been talking with businesses and have received good responses.

Natasha Browly spoke on behalf of her patient having Epilepsy and how medical marihuana worked for her. Browly also gave her story about having Renal Carcinoma and the medications that did and didn't work for her. She explained that her tumor was too large for surgery, but she was able to shrink it and have her kidney removed.

Kathleen Graham, a Registered Nurse for Hospice spoke in reference to some of the patients she cares for and how medical marihuana helps some of her patients.

Cliff Yankovich spoke in reference to his support of medical marihuana and told his story of stage four throat cancer. He explained that there were no side effects or withdrawals from the edibles.

5. **COUNCIL COMMENTS.**

Councilmember Hodges stated that what they learned tonight was terrific, but there is still more to learn. He will approach this with an open mind, but is leaning towards what Cliff presented tonight. In many cases, there are very good benefits; however, there will always be abusers. Hodges suggested the Council do another follow-up information meeting in order to get public input from the community.

Councilmember Phillips agreed with Councilmember Hodges.

Roger LaWarre encouraged Councilmembers to be informed. He spoke of his experiences of working with drugs on the street. LaWarre also spoke about his ministry within the community and stated this is a great benefit to individuals in the county and area. This town has always pulled together to work for the benefit of those who are our brothers and sisters, our neighbors and we can work together on this one as well. LaWarre advised the Council to take the lead because he believed that there is a great deal of help we can give medically to individuals.

Councilmember Canfield advised it these were very moving testimonies of those who have "walked the walk". He has seen people suffer and if we can help with that, it would be great.

Councilmember Teelander appreciated Roger LaWarre speaking about fear; there is a lot of fear regarding cannabis and marihuana. He is a survivor and he remembers the fears. Teelander thanked everyone who spoke.

City Manager Mike Burns stated it is really a political decision on the Council and not an area where he is going to provide a recommendation to Council. Burns advised that the police department is going to play a major role in this and encouraged the Council to let the police department stabilize before doing anything. There is also a strong possibility that recreational use is going to be placed on the ballot in 2018. If the Council approves, there will be an ordinance that will need to be adopted.

Mayor DeVore thanked everyone who shared their stories.

6. **ADJOURNMENT.**

IT WAS MOVED BY HODGES and seconded by TEELANDER to adjourn at 6:52 p.m.

YES: 5. NO: None. ABSENT: None. MOTION CARRIED.

DATE:

Mike DeVore, Mayor

APPROVED:

Susan Ullery, City Clerk