

# Medical Marijuana Ordinance

## PUBLIC HEARING

### Meeting Notes

**September 7, 2016 7:00 PM**

President of New Philadelphia City Council Sam Hitchcock called the meeting to order at 7:00 PM in the Council Chambers in the John Knisely Centre. The Hearing was presented by Cheryl Ramos, Chairwoman of the Zoning and Annexation Committee. Present were Committee Members; Darrin Lautenschleger, Aimee May, Alternate Rob Maurer; Councilmembers Dean Holland, John Zucal, Kelly Ricklic; Mayor Joel Day; Council President Sam Hitchcock; Clerk of Council Julie Courtright; Service Director Ron McAbier, Secretary to the Mayor Mary Ann Otte, Tuscarawas County Commissioner Kerry Metzger; Jodi Salvo; Audience members Ms. Natalie Napier and daughter Kayla, Mr. and Mrs. Soehrlen, Mrs. Elfin, Mr. Ayres, Mr. Kenneth Fanti, Mrs. Joann Fox.

**ITEM(S):** To provide citizens with pertinent information about Amended Ordinance 9-2016, an Ordinance for the Council of the City of New Philadelphia, Ohio to prohibit medical marijuana cultivators, processors, and retail dispensaries from being operated anywhere within the corporation limits of the City of New Philadelphia.

#### **THE FLOOR WAS OPENED UP TO COMMENTS FROM THE AUDIENCE:**

Jessica Elfin, 5532 Buehler Dr. SW Stonecreek had the following comment:

I feel that by having a dispensary in the County Seat will show the citizens of Tuscarawas County your support and understanding. Also it would create more jobs. As an example I came to this meeting tonight and I had to make a few stops in town. I spent \$150 local retail. By not having a dispensary here it would drive business to Canton, Cambridge or Zanesville. Why not support your local businesses? \*Mrs. Elfin distributed a document to all members of Council and Administration.\*

Tuscarawas County Commissioner Kerry Metzger had the following comment:

As a Commissioner and also as a Citizen of New Philadelphia I appreciate the Ordinance and am in total support of Amended Ordinance 9-2016. I want to commend Councilwoman Ramos for taking up this issue. We work very closely together in the anti-drug coalition here in Tuscarawas County. To me it's a very common sense approach to this. We know that the marijuana issue is not going to go away with the medical marijuana piece. Over the years there will be continued attempts to move that into a recreational forum also. I think it just makes a lot of common sense, good public policy to start where you have control as to what happens when the marijuana issue becomes more clear, as to what the federal government is going to do, as to what the state government is going to do. So, by placing the restrictions in zoning, you always have the opportunity in the future to change those restrictions based upon what is happening at the federal and at the state levels. So, it just makes sense to restrict it here now. Over time we'll see what happens with this marijuana issue. So to me it's a very good public policy. I've been involved with public policies for a long period of time.

Natalie Napier, 136 N. Avenue NE New Philadelphia had the following comment:

My 2-year-old daughter Kayla has epilepsy. She takes seizure meds and the seizures are still not controlled. I don't know if anybody has seen somebody have a seizure but it's scary. She has them every morning, full body, and her right arm is paralyzed after every one. Think about it, if they had a dispensary here I could easily go and get her some. If it would work, I truly believe it would. Why make me, and even cancer patients, why make it harder for us? It's already hard enough. Life is not fun, and you making me travel all the way to Canton, all the way to Zanesville, you're just putting it more on me and her. She doesn't deserve that. I'm her voice and that's not fair for her. I don't know if anybody has seen medical marijuana dispensaries. I've seen pictures of what they look like in Colorado and it looks like a pharmacy. I just wish you could look at her and try to make our life easier.

Kenneth Fanti New Philadelphia, Ohio had the following comment:

My major concern is if we allow this in our community, what is the criminal element going to be? My concern is the criminal element is always looking for an easy buck. If we're cultivating it here, processing it here, there will be those that steal that stuff and sell it on the street or start breaking in to the facilities that are either selling it or processing it. This would allow the criminal element in this area to become more active and more aggressive. That is a major concern for the community.

Mrs. Joann Fox, 6015 Dundee-Strasburg Rd. had the following comment:

I'm here trying to observe. I wanted to see what went on tonight. There is probably a concern with the criminal element with marijuana. I don't think that's true. People who consume marijuana are not aggressive. They're not thieves. I'm almost 60-years-old. I grew up in the 70s. In 1975 they decriminalized it in the state of Ohio. I'm not going to lie to you I consumed it. I'm not a thief, I don't go around breaking windows, I don't go around stealing from people. According to Coast to Coast AM, in Denver the Broncos just started allowing people to consume marijuana during football games and tailgating. Well, the fighting and the arrests have stopped. People now that consume marijuana are very peaceful, they're organized, and they don't cause trouble. I skip between here and Massachusetts a lot. I work with organizations out there, with their medical marijuana program. They have not had any arrests, they have not had anybody tearing down the walls. People like that are very peaceful and they don't cause trouble, but they would like to be heard because the draconian system that we have today. If you would allow more consumption, I believe that the Oxycodone, the Percocet problem, the Heroin problem in this country would probably go down. That's another thing that's been proven, that Heroin use goes down if the herb is available. I don't think that you're being proper in disallowing your employees to use. If people are in chronic pain it's not pleasant, and I'd rather see people consume marijuana whether it be in pill form or smoking, and be relieved. I would much prefer to have somebody behind the wheel on the road who's smoking marijuana than I would somebody who's drinking. Trust me, the people slow down they don't speed, they don't crash into people, they don't lose their perception. I agree with this woman over here who has a child who has epilepsy. It's so much better to take marijuana in a form to curb epilepsy. That little girl could have no more suffering because of it. If the dispensaries were here you'd make that young lady's life a lot simpler as well as other people who might be effected.

Cassandra Soehnlén 140 N Avenue NE New Philadelphia had the following comment:

My husband has seizure disorders. His are not to the level of where he was diagnosed with epilepsy but he does take seizure medication. Knowing that there's a possibility of having access to something that can benefit him, especially since it's been legalized at the state level is a benefit. The issue before the Council isn't recreational use, it's medical use prescribed by a doctor. So, all due respect to the Commissioner he's speaking to the criminal element, the drug task force. We're talking about a controlled substance that's been prescribed by a medical physician, not people smoking marijuana at parties, but private use in their home to treat a medical condition. I was in Colorado last summer to visit family. We don't smoke marijuana but we saw the dispensaries driving around. It's clean. There are not people on the street corners smoking pot, cluttering up the towns. They're clean, they're nice, they look like CVS. I think the misconceptions, the ideals of what it could turn into, the "snowball argument". I think we need to take a look at what has actually been proposed by the state, what are the options that we're looking at, not just a knee-jerk oh it's drugs, oh it can't come here, because there are people in the community that can benefit from medical intervention which is what this is.

Jodi Salvo, Prevention Specialist with the Tuscarawas County Health Department had the following comment:

What research has shown with states that have approved medical marijuana, 24 of the 26 states that have created dispensaries have higher youth use rates. Absolutely I recognize that we're talking about medical marijuana. There are a lot of things we don't know. The potency of the marijuana continues to rise. It is not in a controlled medical form yet even though we're calling it medical marijuana. It is not approved by the FDA because of a couple of reasons. They're not able to control the teenage use, and some of the language that we have here in Ohio allows for edibles which have a higher THC level, it allows for vaping marijuana which again are marijuana oils which are higher THC. One thing that it does is it effects the way our brain develops. Anytime that we have increased access and increased availability of any drug we have increased use. Now, when people say it's just for adults for medical reasons we can also know that in those states that have medical marijuana we have increased use, and we

can talk about if we used marijuana in the 1960s, 1970s or 1980s it's a different beast than what we're looking at right now. I think there's been enough research to say the levels of THC that are allowed here in Ohio are going to be 35 percent to 70 percent. That isn't even the level that's on our marijuana in our streets right now. We're about 12 to 17 percent in New Philadelphia. So, I think we need a lot more research before we would say "Hey, let's create a dispensary in our town". I know it will be available in the state. I feel for a mom with a child with a seizure disorder, I absolutely do, but there are other avenues and I would just be concerned. We have a drug problem already. If we create more access in our communities we will have more drug use. Is it the same as heroin and other opiates? I think we can have that discussion, however what I do know, it's easier to initiate alcohol and marijuana because the potencies are higher. If someone started to use at 13, 14, 15, which is our youth initiation rate here, it's higher concentrates that we have not had in Ohio before. I would be very concerned about kids using harder drugs sooner, earlier, which means their chance of initiating harder drugs by the time they turn 18 or 19 is absolutely a possibility. So, I also commend having an ordinance in place. Let's see how things play out. Let's look at research in other states, other parts of Ohio. We have a wonderful place to live. I don't think bringing more drugs into our area is a smart idea. We already have a decreased perception of harm about marijuana and I believe this will also make it even more so.

Frank Fry a New Philadelphia resident had the following comment:

It appears the decision is already made the appeals and all the discussions go on deaf ears, but trends start in California. I went out to California eight years before they stopped smoking in bars here it was out there. I ask, have you looked at the economic impact of states like California and Colorado along the line of how much revenue generated? It's happening out there. Marijuana is here. If you're not passing it, you're losing out on dollars. Before we were in this country there were Native Americans. It's plant medicine. People in reservations are allowed to use peyote, marijuana, other natural substances, mushrooms. If you don't see what the drug companies are doing to this country, big money buying politicians, wanting to shove pills down everybody's throat. It's ruining this country. I broke my back. I used lots of drugs. Marijuana helps me. I'd just like to say that. When this gets repealed I want you to think about how many dollars the community of New Philadelphia has lost, because you're not talking about tax revenue the City of New Philadelphia has lost. You're not talking about one sale of, one gram of marijuana, you're talking about an employee, you're talking about an empty space being filled, you're talking about an entrepreneur opening a new business. You're talking about people coming into the City. I mean it's dollars and cents, guys. It's already here, it's a plant, it's not manufactured by some company that is out there just to get your dollars. You don't think that these cigarette companies want you to be addicted to what they're selling? That's why they put the additives in it. It's not all tobacco you're smoking. I could go on forever, but think about the economic impact, think about people that really need this medicine. I mean, it's a plant medicine.

Alan Bowes 140 N. Avenue NE had the following comment:

Unfortunately I have the same impression the last speaker did that minds are already made up, so I at least wanted to make sure that one more voice is heard. I have no idea if a doctor would prescribe marijuana for my condition, no idea if I would take it, but for me or other people it might be an option for us here locally. I don't think it makes a lot of sense for the City of New Philadelphia to say "no, you need to travel to another county, and has been said lose that revenue. It would also put strain on people like my neighbor Natalie who just would like to have an option for her daughter. As to the argument that this somehow gives you more control over what is done with marijuana in the community, I would say you have an opportunity to join in on what is already going to be state law, to try to shape what is happening with the growing and dispensaries in this area, rather than saying we want nothing to do with it. As has also been brought up, this is not a legalization of or a promotion of drugs that are truly problematic in the community, the heroin, the meth, things like that.

Bob Ayres resident of New Philadelphia had the following comment:

First of all, does anybody know that Tuscarawas County outlawed marijuana? Do we know that? Because if they didn't, why is New Phila going to outlaw it? We're going to lose revenue because they're going to set up right outside the City limits if Tuscarawas County didn't outlaw it. Now, I'm not for it, but it is here.

**ACTION: A Special Session of Council took place directly following the Public Hearing where Council approved Amended Ordinance 9-2016 by a 5-2 vote.**

**With no further questions or comments regarding Amended Ordinance 9-2016, the meeting was adjourned at 7:32 p.m.**