

Memo

To: Mayor & City Council

From: Bryan Myrkle, Community Development Director

Date: November 5, 2019

Re: Recreational marijuana

Toward the end of his term in office, Mayor Tim Lewis convened an ad hoc committee to provide input on the issue of recreational marijuana in the City of Charlotte. Specifically, this committee of public policy, public health, public education and public safety officials was brought together to provide their perspective on the issue, and offer any advice or information they thought relevant.

At the time the City of Charlotte 'opted out' of allowing recreational marijuana sales in the city, the City Council also said they would revisit the issue when the state released the rules under which these sales would be regulated. The temporary rules were released this summer, and they are widely viewed as being close to what the final rules will be.

Mayor Lewis felt it was important to re-examine the issue in light of these new rules, living up to the City's earlier commitment.

It should also be noted that there is an opportunity for residents to bring forward a citizen referendum, which could take the issue out of the City Council's hands, and put the question directly to voters. Therefore, there is a risk that if the Council is not pro-active, it may give up any influence it might have over the question. During the 2018 statewide referendum on recreation marijuana, Charlotte voters supported the proposal by 2012 to

1445 margin, with 55% turnout. This is an good indicator of what level of support a local referendum on recreational marijuana might have.

The ad hoc committee was assembled in an effort to gather information and provide a range of perspectives, not to reach a consensus of opinion or provide a direct policy recommendation. It was also not intended to replace or displace public opinion on the matter, but rather to ensure this information is provided, along with all of the other information on the issue that may be directed to the City Council.

The participants included former City of Charlotte Police Chief Lisa Sherman, Charlotte Public Schools representative Matt Maitland, Barry-Eaton District Health Department representative Anne Barna, CharlotteRising executive director Lisa Barna,

Law enforcement perspective

Chief Sherman offered several thoughts on the issue of recreational marijuana use and sales in the City. These included:

- It is already difficult to deal with the issues associated with substance abuse in the City of Charlotte, and this will not create enough additional tax revenue to offset the additional resources it will require to adequately address the problem.
- Local police already struggle with medical marijuana rules, and this would be similar, but even larger. She said that in other communities, it has overwhelmed law enforcement, and that the promised reduction in black market criminal activity has never materialized.
- Licensing for recreational marijuana dispensaries will be similar to those used for alcohol and liquor sales, and those are already a burden to law enforcement. There are 50 or 60 places in Charlotte that sell alcohol, and they all require local police involvement for things like licensing, inspections, violations and enforcement. This will only add to that work. She said there are already a lot of unknowns for a small department which has to address issues surrounding alcohol and smoke/vape shops, and this will increase the burden.
- In terms of locating potential marijuana stores, Chief Sherman noted several areas that she thought would be problematic, including downtown, any residential areas and the Charlotte Plaza (which had

been suggested). She said her first priority would be making the location inconvenient for kids and the people who might be willing to purchase for them.

- Chief Sherman said that the community's biggest substance abuse problems stem from alcohol and prescription drug abuse; but nearly every criminal they deal with has a substance abuse history that includes marijuana.
- She also said that it is already difficult to recruit and hire new police officers, and allowing recreational marijuana sales in the City of Charlotte could make that even harder.

Public health perspective

Anne Barna, from the Barry Eaton District Health Department, said the department is working actively on these issues, and offered the following:

- The agency is working on medical marijuana education for young people focusing on harm reduction, i.e. safety, security, children's access, and similar issues. She said that, nation-wide, marijuana use peaked in 1997, and she will be interested to see if the declining trend is reversed in places where it is legalized.
- Barna said the agency wants to educate communities about the health impacts of marijuana use, but there is not enough good research available yet. They are forced to rely on anecdotal information from western states that legalized marijuana earlier. Even so, they hope that Michigan will be able to learn from the experiences in those states and not make similar mistakes.
- She said that most research indicates that the prime age range for marijuana use is 17 to 24, but that as a public health matter, they would like to see that average pushed higher and out of the brain development ages. She also said that it is a common misperception that marijuana use is not addictive, but that Marijuana Use Disorder is real and common in our community. Therefore, they view it as similar to alcohol in that respect.
- Barna pointed out that, even beyond direct use, there may be environmental health issues associated with large grow operations that aren't yet fully understood.

- She also provided an article that I am including with this report, *“Marijuana Use among Adolescents and Emerging Adulst in the Midst of Police Change: Introduction to the Special Issue.”*

Public School Perspective

Matt Maitland, of Charlotte Public Schools, pointed out that under any of the proposed plans for medical and recreational marijuana, it will remain illegal to possess or use for any local school student. In that sense, it is not much of a change for the district.

However, he also offered the following:

- He said there are many, many violations by students in the district, and many of those students are obtaining marijuana from their parents who are not responsible with their use or storage.
- Maitland said that while any changes to the City’s stance on recreational marijuana might not have very much effect on the school district as an organization, it could have very profound effects for individual students. He pointed out that a first-offense for possession of marijuana in school results in a 10-day suspension, and assignment to the ‘Choices’ program. A first-offense for distribution of marijuana is a recommendation to expel the student, which he likened to an ‘educational death sentence.’ “Kids do not bounce back from that,” he said. He also said that this is not merely an abstract possibility, but that in fact, the district expelled 7 middle school students last year for substance abuse offenses.
- Maitland also talked about some of the issues kids have who live in homes with open marijuana use. He said that students who live with parents using marijuana end up smelling like it at school, even if they are not users themselves.

Public Policy perspective

CharlotteRising's Lisa Barna talked about her experiences as an economic development professional in 3 other Michigan communities that allowed medical marijuana dispensaries:

- She said that one community experienced a quick 'boom-and-bust' cycle that left several vacant buildings in its wake when the businesses did not succeed.
- She said a more successful management of the issue in a second community included requiring a written business plan and a supplemental business associated with the marijuana business. In other words, it could not be a stand-alone marijuana dispensary. She said that these businesses did better and seemed more sustainable. That city also limited the number of businesses to 3, and the business owner also had to be the property owner, not a tenant.
- She said the third community she is familiar with has a large production facility, and that is where the tax revenue and jobs are, rather than the individual dispensaries. However, she pointed out that these take much longer to get up and running, and there are fewer of them overall. There will not be enough of these to help the revenue stream of every community in Michigan.

In short, and as may be expected, most of the input the committee provided was cautionary in nature. I am certain that these individuals would be happy to answer any questions you may have about the information they contributed. Furthermore, while this was an ad hoc committee without any subsequent meetings scheduled, if the City Council finds their input valuable, I believe most or all of them would be willing to continue their involvement if it is not an open-ended commitment.

If you have any questions about this report, please feel free to contact me at (517) 543-8853.