

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CITY OF PONTIAC  
PLANNING COMMISSION  
SPECIAL MEETING  
MONDAY, OCTOBER 29, 2018  
6:30 P.M.

A Special meeting before the Planning Commission, at 47450 Woodward Avenue, 2nd Floor, Council Chambers, Pontiac, Michigan 48342.

BOARD COMMISSIONERS:

Dayne Thomas, Chairman  
Ashley Fegley, Vice Chair  
Mayor Deirdre Waterman, Commissioner  
Mona Parlove, Commissioner  
Christopher Northcross, Commissioner  
Lucy Payne, Commissioner  
Hazel Cadd, Commissioner

CITY OFFICIALS PRESENT:

Vernon Gustafsson, Planning Manager  
Donovan Smith, Assistant City Planner  
Jane Bais-DiSessa, Deputy Mayor  
Anthony Chubb, Esq., City Attorney  
Rachel Loughrin, Director of Economic Development

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)  
Certified Shorthand Reporter

1 MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING

2 COMMISSION:

3 Rochelle Griffin (ph)

Bishop Layne LaPage

4 Mike O'Hara

Robert Bass

5 Renee Beckley

Thomas Lawrence

6 Sonya Leduff Malone

Reverend Douglas Stewart

7 Joe Sinclair

Norbert Burrows

8 Chuck Johnson

Tameka Ramsey

9 Robert Hynes

Martin Sema

10 Jenn Zielinski

Mike Lange

11 Marcelus Brice

Nick Simpson

12 Blair McGowan

Julia Ruffin

13 Todd Levy

Jamie Webb

14 Yvette Carson

Craig Aronoff

15

16

17

18

19

20

21

22

23

24

25

1 CALL TO ORDER: Chair Thomas called the meeting  
2 to order at 6:31 p.m.

3

4 ROLL CALL (PRESENT):

5 Dayne Thomas, Chairman

6 Ashley Fegley, Vice Chair

7 Mayor Deirdre Waterman, Commissioner

8 Christopher Northcross, Commissioner

9 Lucy Payne, Commissioner

10 Hazel Cadd, Commissioner

11 ROLL CALL (EXCUSED):

12 Mona Parlove, Commissioner

13 CHAIRPERSON THOMAS: Good evening,  
14 ladies and gentlemen and welcome to the Pontiac City  
15 Planning Commission meeting for October 29, 2018.

16 This is a special meeting with regard  
17 to medical marihuana, so we welcome the public, of  
18 course we do, we've got a lot of public here to  
19 offer their comments if they wish to do so.

20 There is a sign-in sheet up there.  
21 Traditionally we don't do that because we don't have  
22 this many people in here for these meetings. So if  
23 you would kindly place your name on that list so  
24 that we can kind of go through that list in a  
25 coherent fashion. But any measure, if you're here

1 to speak, you'll have an opportunity to speak.

2 But, before we go to roll call, I'd  
3 like to introduce my fellow commissioners. To my  
4 far left, Commissioner Northcross is not here yet,  
5 he should be here. Then there's Commissioner Hazel  
6 Cadd, Honorable Mayor Deirdre Waterman. To my  
7 immediate left is City Planning Manager Vern  
8 Gustafsson. To my right is Vice Chair Ashley Fegley  
9 and we're waiting on a few folks. So without  
10 further ado, I'm going to go to Mr. Gustafsson for  
11 roll call, please.

12 MR. GUSTAFSSON: Yes. Let's see.  
13 Chair Thomas?

14 CHAIR THOMAS: Present.

15 MR. GUSTAFSSON: Vice Chair Fegley?

16 VICE CHAIR FEGLEY: Present.

17 MR. GUSTAFSSON: Commissioner Cadd?

18 COMMISSIONER CADD: Present.

19 MR. GUSTAFSSON: Commissioner  
20 Northcross. Commissioner Parlove, absent.

21 Commissioner Payne, excused absence. And Mayor  
22 Waterman.

23 MAYOR WATERMAN: Present.

24 MR. GUSTAFSSON: And we have  
25 Commissioner Payne walking in.

1                   (At 6:31 p.m., Commissioner Payne  
2 entered the auditorium.)

3                   CHAIRPERSON THOMAS: Okay. I'm going  
4 to make an assumption there are no communications  
5 prior to the formal agenda?

6                   MR. GUSTAFSSON: There is. Just one  
7 statement. I would like to make sure that everybody  
8 understands that as part of the process here, as  
9 related to the drafting of our medical marihuana  
10 facilities ordinance, particularly in regards to the  
11 zoning text amendment, we did ask all of the  
12 Planning Commissioners to sign a disclosure  
13 statement as relates to their transparency as we  
14 further develop and approve, or recommend for  
15 approval to City Council, or our recommendation to  
16 City Council in advance of tomorrow's meeting.

17                   So we wanted to make sure that the  
18 disclosure statements were completed and I wanted to  
19 say that all of the commissioners have completed and  
20 submitted their statements.

21                   MAYOR WATERMAN: Yes, that was added  
22 to the process as a part of keeping integrity in the  
23 process. And the Planning Commissioners did  
24 voluntarily submit those. It is a form that would  
25 then apply the -- our City attorney with my

1 approval, because the Planning Commissioners are  
2 appointed by me so I wanted to stand tall, put  
3 integrity in the process that we have here. This is  
4 a medical marihuana that's brought a lot of interest  
5 in Pontiac. I don't think we have seen this  
6 auditorium quite so full for a Planning Commission  
7 meeting.

8 So as we did that, there were a lot of  
9 people who were involved in various ways, I wanted  
10 to make sure that the public knew that all of the  
11 Planning Commissioners were working in the best  
12 interest of the City of Pontiac. They were not  
13 influenced by one (inaudible) possibilities or  
14 another or influenced by that. And so, to establish  
15 that they each voluntarily did submit a conflict of  
16 interest statement about any conversations or -- to  
17 disavow any offers or anything that might have been  
18 made.

19 We also put the same conflict of  
20 interest statement forms in the council packet  
21 because we hope the City Council will also do the  
22 same thing. We think that's part of the ethics.  
23 Our ethics statement in the City of Pontiac is  
24 pretty meager, but we wanted something to cover this  
25 kind of eventuality.

1           So we just wanted to assure the public  
2           that depending upon the Planning Commission and City  
3           Council to make those decisions, that that was the  
4           problem taken here in the City of Pontiac. And so  
5           you can stand tall that the people who are making  
6           those decisions are making them on the basis of the  
7           interest of the citizens and the best interest of  
8           the City of Pontiac.

9           CHAIRPERSON THOMAS: Thank you, Mayor.  
10          Before we get started with the formal part of our  
11          agenda, I'd like to read an opening statement onto  
12          the record.

13          The issue of medical marihuana is  
14          sweeping the country, and the issue of medical  
15          marihuana is here to stay. So the City of Pontiac  
16          must determine the best way of dealing with this  
17          sensitive and somewhat controversial issue. Tonight  
18          you'll hear the definition and differentiation  
19          between growers, processors, provisioning centers,  
20          appliance facilities and transporters. You'll also  
21          learn about medical marihuana overlay districts  
22          referred to as MMOD, and you will also hear a plan  
23          for a proposed zoning ordinance.

24          It's a big turnout here tonight, of  
25          course, and there's a lot of energy in this room.

1 So I ask you to listen closely to the presenters and  
2 public speakers, I also ask you to treat this  
3 hallowed hall, this respectable chamber and its  
4 occupants with dignity and respect. Please refrain  
5 from speaking unless you are at the podium. When  
6 speaking, please keep your language respectful.  
7 Please refrain from personal attacks.

8 Amongst my many roles, and arguably my  
9 most important role, is to maintain order in this  
10 room and I intend to do just that. So, if you treat  
11 this room and its occupants with dignity and respect  
12 in turn you will be treated with dignity and respect  
13 as well. No one in this room will be given special  
14 consideration, so the parameters put forth are  
15 applicable to all.

16 For those who will speak publicly, I  
17 ask you to state your name and address for the  
18 record and keep your remarks on point and  
19 specifically related to this case. Please limit  
20 your comments to three minutes or less to  
21 accommodate all of the public speakers.

22 So thank you for your consideration,  
23 and your presence here tonight. And without further  
24 ado we'll move to the formal presentation that Mr.  
25 Gustafsson will present, please.

1                   MR. GUSTAFSSON: Thank you, Mr. Chair.  
2                   As -- before you, as we all know, that the -- we're  
3                   here tonight to talk about and hear comments related  
4                   to the zoning text amendment to include medical  
5                   marihuana uses within select overlay districts  
6                   within the City of Pontiac. We do understand, over  
7                   there on the projector you can kind of see where I'm  
8                   going to be talking from, the voter-approved Pontiac  
9                   Medical Marihuana Facilities Ordinance was drafted.  
10                  It does include the definitions of the various types  
11                  of facilities that are going to be -- that can be  
12                  located in the City. It does allow or does restrict  
13                  certain requirements as relates to distances from a  
14                  public or private school, 500 feet from a commercial  
15                  childcare center, a public park with playground  
16                  equipment and also tax exempt religious  
17                  institutions.

18                  It also does a very good job as part  
19                  of that -- the initial ordinance does a great job in  
20                  regards to the application, the content is  
21                  processed. The permits, as I talked about in  
22                  regards to the type and number of medical marihuana  
23                  businesses that are allowed in the City, along with  
24                  the distances, but it does not state in regards to  
25                  where they'll be located and also the districts that

1 they'll be located, and that's what we're here to  
2 discuss with you tonight and present.

3           What we're proposing is what we call a  
4 MMOD district, proposed medical marihuana overlay  
5 district. The amendment would include portions  
6 where the overlay district would be located, would  
7 be on portion of Cesar Chavez Avenue and also Walton  
8 Boulevard. The City, in its way of handling these  
9 facilities, would locate the businesses within these  
10 overlay districts and properties that are zoned C-3,  
11 commercial -- corridor commercial. M-1, light  
12 manufacturing and also M-2, heavy manufacturing and  
13 most important one. The caveat would be is that the  
14 property with property frontage on Walton Boulevard,  
15 Cesar Chavez Avenue and also Rose or avenues within  
16 the Cesar Chavez area, Pershing, Durant, Inglewood  
17 and Augusta.

18           Also, all of the medical marihuana  
19 uses would require a special exception permit, which  
20 is separate approval process through the Planning  
21 Commission. Following the approval of that permit  
22 you'll be able to go on to a site plan approval,  
23 again from the Planning Commissions.

24           What the intent is here is that the  
25 overlay is applied over the existing zoning

1 districts within those areas. So those businesses  
2 are allowed to continue and flourish and expand, but  
3 further restrictions and requirements are placed on  
4 the various medical marihuana facilities.

5 To get a little bit further deeper  
6 dive into the various districts, we have Walton  
7 Boulevard MMOD district is located just west of  
8 Telegraph Road east to Fuller Street. And the areas  
9 that you see outlined in green represents the  
10 various approved zoning districts of C-3, M-1 and  
11 M-2. And the blue line that circulates throughout  
12 the area represents the full boundary of that bigger  
13 district where the uses can be located.

14 The second area is Cesar Chavez. This  
15 is a section of Cesar Chavez Avenue or what we call  
16 Business or US-24. It extends approximately for one  
17 mile west of West Boulevard to Montcalm. Here in  
18 this district you have extensive areas of C-3 and  
19 also M-1 industrial.

20 When we took a look at these corridors  
21 we were looking at it from a number of vantage  
22 points. A significant number of existing zoning of  
23 C-3, M-1 and M-2 that are located within those two  
24 corridors we have approximately about 320 lots or  
25 parcels that are located within those corridors. We

1 also examined the appropriateness of these  
2 businesses as it relates to current businesses, and  
3 also trying to examine the goals and objectives of  
4 our master plan, which we'll get into a little bit  
5 later on.

6 What was most important was as -- we  
7 had an overarching goal to determine what is best  
8 for Pontiac and this community, and one way that we  
9 felt very sincere about in our objective as we were  
10 writing this, was to create a sound and sustainable  
11 and centralized approach for this public and private  
12 investment within these two corridors, and also  
13 keeping in mind the corridor itself and also its  
14 neighborhoods. We wanted to locate them along Cesar  
15 Chavez, being a MDOT state trunk line and also  
16 Walton Boulevard being a major street within the  
17 City of Pontiac. The corridors are fully accessed  
18 by utilities, with sufficient capacity and also we  
19 took into account in regards to police and fire  
20 protection allowing for quick response and minimal  
21 response time to a couple of defined areas in the  
22 City of Pontiac.

23 We also, as well as you know, the  
24 requirements as relates to buffers or distance  
25 requirements from schools and commercial childcare

1 centers, public parks with playground equipment and  
2 tax exempt religious institution. We did a good job  
3 of -- our department spent quite a bit of time  
4 examining, exploring those districts and looking the  
5 distance requirements of where they can be located.  
6 From all of that research, also along with the  
7 future land use plan, which really does provide  
8 impetus in regards to what we're trying to achieve  
9 along these corridors where you're trying to create  
10 a certain flexibility of a combination of  
11 commercial, industrial and other office-type of uses  
12 along both of these roadways. So it was important  
13 for us to keep in mind our future land use plan when  
14 we developed this overall plan and also respond very  
15 truthfully in regards to the new economy.

16 (At 6:43 p.m., Commissioner Northcross  
17 entered the auditorium.)

18 MR. GUSTAFSSON: Since the second  
19 great contraction that occurred in 2008, 2009, we  
20 had to be flexible in regards to those types of  
21 uses. We had to definitely talk about the economic  
22 impact and economic benefits as relates to our  
23 community which is definitely a stronghold as part  
24 of our future land use plan.

25 The existing zoning map, the way it

1 overlays right now in regards to the various  
2 districts ranging from residential areas, the  
3 majority of are obviously identified in yellow to  
4 various shades of gray. The industrial and various  
5 shades of red represents the various zoning  
6 districts that are included within the City. We  
7 have a number of commercial districts going from C-0  
8 all the way up to C-4, which we kind of negated and  
9 looked at some more prominent and more important  
10 uses such as C-3 as a proposed zoning district for  
11 the provisioning centers. Also for the transport  
12 and also the testing facilities while locating the  
13 growers and processors located with the M-1 and  
14 M-2 district.

15 We also explored with looking at the  
16 economic benefit as relates to the -- where those  
17 districts should be placed. And understanding that  
18 the City's tax, what we call TIFA authority or a Tax  
19 Income and Finance Authority, we have several, one  
20 being District 3. District 3 is the tan area that  
21 you see along the western edge and northern edge of  
22 the City. And all of Cesar Chavez is located in  
23 that district, along with a -- I would a say a third  
24 of Walton Boulevard.

25 And the importance of that is to

1 understand that because of the increased revenue  
2 that the City would generate either through taxes or  
3 application fees, it was important to understand  
4 that we would take potentially that revenue and pay  
5 down on debt on the bigger district, more so than  
6 District 2.

7           So keep in mind that -- I think I want  
8 to -- before we get into public comment and I'll  
9 turn it back over to the Chair, Mr. Thomas, is that  
10 we understand that we as a community are looking  
11 forward to having the businesses within our  
12 community within a regulated location. We can't  
13 restrict you from opening within the City of  
14 Pontiac, but we can provide a certain governance to  
15 where they could be located. Again, what I want to  
16 go back to is when we talked about we wanted what's  
17 best for the community in Pontiac, but also we  
18 understand from a business standpoint we want to  
19 start here in regards to those overlay districts, we  
20 want to work with the uses that will be proposed  
21 within those districts, and we want to understand  
22 that we can all grow as a business and community as  
23 this is our first attempt to kind of take a strong  
24 look and come up with a strong recommendation for  
25 the future growth of these businesses within the

1 community.

2 CHAIRPERSON THOMAS: Thank you very  
3 much, Mr. Gustafsson.

4 MR. GUSTAFSSON: Just Vern.

5 CHAIRPERSON THOMAS: Well said. This  
6 is a public hearing. Before we go to public hearing  
7 I'd like to also welcome Commissioner Christopher  
8 Northcross to my far left. And --

9 COMMISSIONER NORTHCROSS: Please  
10 excuse my tardiness.

11 CHAIR THOMAS: And Commissioner Lucy  
12 Payne to my far right. I'd like to also welcome the  
13 Honorable Deputy Mayor Jane Bais-DiSessa, she was in  
14 here earlier, and also Rachel Loughrin, Director of  
15 Economic Development. Thank you for being here.  
16 And Donovan Smith, City Planner is here somewhere as  
17 well.

18 I'm going to turn it to my fellow  
19 Commissioners for questions to the planning manager  
20 first off, so many of the questions that they may  
21 have for clarification may very well answer some of  
22 the questions that you will have. But anyhow, it  
23 will set the stage for your public hearing, public  
24 comments.

25 Once we go through questions here, we

1 will then open public hearing and then we'll --  
2 after closing public hearing we'll bring it back for  
3 a motion and a vote. So, without further ado, to  
4 Commissioner Northcross, please.

5 COMMISSIONER NORTHCROSS: I don't have  
6 any questions at this time. I've had a chance to  
7 discuss the over -- the idea of an overlay district  
8 as opposed to being a specific special district,  
9 what the different activities and what is the work  
10 involved with one versus the other and what's the  
11 resultant governance.

12 So I've had a chance to discuss that  
13 with Mr. Gustafsson, so I'll listen at this time. I  
14 don't have any additional questions at this time.

15 CHAIR THOMAS: Thank you very much.  
16 Commissioner Cadd, please.

17 COMMISSIONER CADD: I too am going to  
18 listen. Thank you.

19 CHAIR THOMAS: Mayor Waterman?

20 MAYOR WATERMAN: Yes, I would like to  
21 ask Mr. Gustafsson to read his statement that he did  
22 as the planning director. It's here. I don't think  
23 everybody has access to this and I think it's  
24 important to discuss the background and the platform  
25 under which the very many people who composed the

1 internal staff and others to help to work on the  
2 ordinance that can go before the planning  
3 commissioners today.

4 So I think that would help put the  
5 focus on it and the parameters. There was a large  
6 number of people who worked to draft this, and  
7 taking input from a lot of the community. The town  
8 halls as well as many of the district meetings to  
9 listen to what people have to say in terms of  
10 getting guidance.

11 One of the problems with Pontiac, as  
12 many of you know, this was brought to Pontiac by  
13 referendum, which meant that it was passed based  
14 upon the vote of the people. So -- and passed by  
15 one vote. So, this is something that we only had  
16 60 days because of referendum that was passed, only  
17 allowed us 60 days, which is a really fast time. So  
18 I'm very happy with the people who were able to work  
19 on this, were able to work within that (inaudible)  
20 and had to get a lot of research in doing this,  
21 because we had to look at a lot of communities in  
22 terms of how they can handle this.

23 We looked at some communities who  
24 handled it the right way the first time, the wrong  
25 way the first time to get their experience. We

1 listened to the citizens, we listened to the people  
2 who wanted to know what it meant to have the jobs  
3 brought to Pontiac, we wanted to know how many jobs  
4 and we wanted to know in what ways Pontiac could  
5 benefit from this and which way we could keep some  
6 of the benefit and economic development tools.

7 So I think not only the Planning  
8 Department, the Building and Safety Department,  
9 police division, so many who worked on this to kind  
10 of get to where we are today for our consideration.  
11 So, I think it will be beneficial for them if you  
12 read that so people can have an idea.

13 MR. GUSTAFSSON: Sure. I'll give a  
14 brief synopsis of a lot of the information that was  
15 discussed in the presentation and on also the  
16 projector there kind of summarizes a bit.

17 There was, when we started this effort  
18 almost 60 days ago, we had -- we started to examine  
19 what's best for Pontiac and the community and also  
20 for the businesses that are coming into our  
21 community, and as I mentioned, not restricting or  
22 preventing these uses to open in the City.

23 So what we had to do is figure out  
24 from a planning and zoning standpoint in regards to  
25 where these uses -- where we complete this process.

1 We explored many options, we kind of explored  
2 disbursing these facilities throughout the City or  
3 should we concentrate these facilities in select  
4 areas or one area.

5 We also valued and what we heard  
6 pretty heavily was looking at existing land use  
7 parameters in the transportation system to minimize  
8 any impact, particularly in regards to residential  
9 neighborhoods.

10 Lastly, we -- last two things, we  
11 examined the reference as relates to the Pontiac  
12 master plan that we talked about and also the zoning  
13 ordinance. And lastly, we also studied Michigan's  
14 Proposal 1 as relates to marijuana legalization  
15 initiative that's on the ballot for November 6th,  
16 and tried to understand that from experts in regards  
17 to how that compares to our Pontiac medical  
18 marihuana facilities's ordinance, and really the  
19 kind of our view is the same as relates to the  
20 medical versus recreational. The goods and services  
21 would generally be the same, but what it is, is  
22 different in regards to the intended purpose.

23 We also studied the economic benefit  
24 we talked about in regards to TIFA 3, benefit to  
25 downplay on -- or down pay on debt as it relates to

1 District 3 or the TIFA, but also to understand that  
2 with the economics related to revenue generated can  
3 provide a betterment for the community in regards to  
4 those increased revenue that comes into the  
5 community. We do have the ability to provide city  
6 services that might not be in place yet or bring  
7 back services that have been in place in the past to  
8 truly determine the betterment of the entire  
9 community and spurring on, also more importantly,  
10 economic development and redevelopment in areas that  
11 are in need of revitalization and also investment is  
12 critical to that process.

13 We talked about why Cesar Chavez and  
14 Walton Boulevard are a good location for these MMOD  
15 areas. And basically to summarize in regards to the  
16 purpose of this whole amendment is really to -- to  
17 serve and protect also the health and safety and  
18 welfare of the general public, and establish those  
19 set of rules and regulation as fair and also  
20 tangible to those interested in establishing a  
21 medical marihuana facility.

22 And the proposed amendment, as we  
23 talked about, establishes two districts along Cesar  
24 Chavez and Walton Boulevard. Within those districts  
25 we have -- we have -- we are allowed to -- for a

1 total up to 20 approved and licensed provisioning  
2 centers and there's no limit on the number of  
3 growers, processors, secured transporters and safety  
4 compliance facilities within those particular  
5 districts.

6 FROM THE AUDIENCE: Can you repeat  
7 that, only 20 of what facilities are available?

8 MR. GUSTAFSSON: According to the  
9 ordinance that was approved by the voters in our  
10 August primary, up to 20 provisioning centers would  
11 be -- are allowed, up to 20, within the City of  
12 Pontiac, and there's no limit on the number of  
13 growers processors, secured transporters or safety  
14 compliance facilities in the City.

15 FROM THE AUDIENCE: Thank you very  
16 much.

17 MR. GUSTAFSSON: You are welcome.  
18 Okay.

19 CHAIR THOMAS: Thank you. Rachel,  
20 could I ask you to bring that signature or that list  
21 of speakers, the sign-in sheet forward, please.

22 MS. LOUGHRIN: Is this on? Thank you.  
23 Excuse me, everybody that is standing, we have set  
24 up seats downstairs and this -- this Planning  
25 Commission is on TV downstairs. We are over

1 capacity in this room so we're asking that everybody  
2 that doesn't have a seat, please go downstairs and  
3 take a seat. You can come up to make comment when  
4 your name is called, but we are over capacity. So  
5 we do not want the fire department to close us down.  
6 Thank you.

7 MR. GUSTAFSSON: There is two chairs  
8 up in the front, very front row. You can also grab  
9 those.

10 MAYOR WATERMAN: There's one right  
11 here.

12 CHAIR THOMAS: Just for what it's  
13 worth, there is one up here in the front, there's  
14 one over on the edge there. There are a couple over  
15 here.

16 DEPUTY MAYOR BAIS-DISESSA: I asked  
17 everyone to please move, we are in violation of the  
18 fire code. Please, if you cannot find a seat  
19 here -- there's one over there, you can sit over  
20 there, if not then I will have -- I will call the  
21 police and I'm not threatening you, I'm just asking  
22 you to please --

23 (Gavel pounded.)

24 DEPUTY MAYOR BAIS-DISESSA: Thank you,  
25 your Honor. I asked you politely.

1 CHAIR THOMAS: We will have this  
2 meeting -- we will have this meeting --

3 FROM THE AUDIENCE: Don't look over  
4 here. Talk to her.

5 CHAIR THOMAS: We will have this  
6 meeting in order or we won't have this meeting.

7 DEPUTY MAYOR BAIS-DISESSA: Please.  
8 Thank you.

9 FROM THE AUDIENCE: There's just a lot  
10 of people in here who don't live here, so it's  
11 amazing to me how they can limit capacity.

12 CHAIR THOMAS: I asked earlier to --  
13 when you speak, to speak from the podium. We're  
14 getting off to not a good start here. So if we want  
15 to have this meeting, we're going to follow the  
16 rules from this Chair.

17 MS. GRIFFIN: Hi, my name is Rochelle  
18 Griffin. I am a resident and a businessowner.

19 She did not -- first of all, the  
20 hammering and looking at the resident, she did not  
21 say that. So you guys are at capacity -- you asked  
22 me to speak at the podium, so I'm going to speak.  
23 Half of these people in this room do not live here,  
24 their only interest is the medical marihuana, so  
25 it's not okay to threaten people with arresting them

1 just because we're standing. That's not okay to be  
2 escorted by the police. And now we're being gaveled  
3 and "Oh, get out", but half of these people do not  
4 live here. So now we're disorderly? So I'm  
5 speaking at the podium like you asked.

6 CHAIR THOMAS: I want to remind  
7 everyone, if I don't have -- if I don't have control  
8 from here -- if I don't have control from here I  
9 will close this meeting.

10 MS. GRIFFIN: Are you threatening me  
11 or the people who (inaudible) medical marihuana?

12 CHAIR THOMAS: I am talking to this  
13 chamber. I can go back and read my opening  
14 statement. Sadly you weren't here when I read my  
15 opening statement. Okay. Are we clear?

16 FROM THE AUDIENCE: Get our ass out of  
17 here, call the police.

18 FROM THE AUDIENCE: Oh, come on. Come  
19 on. Come on. You can have my seat. Come on.  
20 There's a seat right there. Come on, we don't need  
21 this. Come on, Tameka, there's a seat right there.  
22 There's a seat right there. We want this to go on.  
23 There's a seat right there. Come on. Come on, take  
24 mine.

25 FROM THE AUDIENCE: You don't have to

1 get up. I'm going to leave. I'm going to leave.

2 FROM THE AUDIENCE: We're out of  
3 order.

4 FROM THE AUDIENCE: They are out of  
5 order.

6 FROM THE AUDIENCE: No, no, no, the --  
7 these people have a right to be here.

8 FROM THE AUDIENCE: We have a right to  
9 be here too. We haven't --

10 CHAIR THOMAS: To my far right I have  
11 Commissioner Lucy Payne. Any questions or comments  
12 before public hearing?

13 COMMISSIONER PAYNE: Well, first of  
14 all, thank you all for being here this evening and  
15 welcome. I'm not sure, Director, if -- are  
16 questions being asked in reference to the ordinance  
17 or just locations or --

18 MR. GUSTAFSSON: The entire ordinance.

19 COMMISSIONER PAYNE: Okay. And I have  
20 a few. On page 2, under "General Provisions".

21 MR. GUSTAFSSON: Yes.

22 COMMISSIONER PAYNE: "The log shall be  
23 available to law enforcement personnel to confirm."  
24 Should that be city code inspectors or just law?

25 MR. GUSTAFSSON: Typically that

1 provision just relates to law enforcement.

2 COMMISSIONER PAYNE: Okay. And on the  
3 same page 2, under security, when we talk about  
4 security, would that be -- would it be a safe  
5 measure to put in here for security officers to be  
6 present 24 hours, at least two, or not? During  
7 business hours?

8 MR. GUSTAFSSON: Are you suggest --

9 COMMISSIONER PAYNE: On B. Security.

10 MR. GUSTAFSSON: Right. On the first  
11 provision in regards to monitoring, are you saying  
12 to be required to have a police officer on site?

13 COMMISSIONER PAYNE: Security officers  
14 on these sites. Would that be appropriate or not?

15 MR. GUSTAFSSON: We can evaluate that.  
16 I guess it's just -- right now it's just related to  
17 monitoring the entire premise with security  
18 surveillance systems. We are requesting that this  
19 type of system be coordinated with the Oakland  
20 County Sheriff's Department.

21 COMMISSIONER PAYNE: Okay.

22 MR. GUSTAFSSON: So I think that that  
23 is more important than to actually have somebody on  
24 site.

25 COMMISSIONER PAYNE: Okay. And under

1 page 3, in licensing. Is there any requirement for  
2 training or certification with the owners or  
3 employees?

4 MR. GUSTAFSSON: In regards to how you  
5 get a license?

6 COMMISSIONER PAYNE: In regards to  
7 their licenses and hiring employees in those stores.

8 MR. GUSTAFSSON: Yeah, there is -- as  
9 part of the application there is quite an extensive  
10 process that relates to information that is required  
11 as relates to licensing, but also to employee type  
12 of knowledge and information in regards to a  
13 business. That would -- part of their application  
14 would be included with that information.

15 COMMISSIONER PAYNE: Okay.

16 MR. GUSTAFSSON: It's more of an  
17 application process more so than a zoning process.

18 COMMISSIONER PAYNE: Okay. And under  
19 the same provision, I'm not sure if there is an  
20 environmental section for fumes or for persons or  
21 residents or anyone with in the area with health  
22 issues such as asthmatic or --

23 MR. GUSTAFSSON: There is provisions  
24 in there as relates to -- if you look at nuisance  
25 prohibited. Yeah. Item D, subparagraph 3, "Creates

1 noise, vibration, glare, fumes or odor detectible.  
2 So if any of those types of growers are in violation  
3 of that ordinance requirement, they would be fined  
4 and be able to be corrected.

5 COMMISSIONER PAYNE: Okay. Thank you.  
6 And under G, "Signage", does that mean that there is  
7 no advertisement on the outside of the stores or --  
8 or would then be -- is there a limitation on the  
9 size of signs that can be --

10 MR. GUSTAFSSON: There is. According  
11 to our zoning ordinance and sign ordinance located  
12 within that M-1, M-2 or C-3 district. They would be  
13 allowed --

14 COMMISSIONER PAYNE: So a huge sign  
15 can be put up there, then?

16 MR. GUSTAFSSON: Well, I think within  
17 the C-3 there is some monument signs, but they  
18 usually are pretty nondescript. We do get into  
19 talking about prohibited in regards to the symbol or  
20 image of a marihuana leaf or any exterior building  
21 signage that would get into the sale of marihuana.

22 COMMISSIONER PAYNE: Okay. And when  
23 it talks about -- on page 4, within 100 feet of a  
24 public or private youth center, could that be  
25 changed to maybe 1,000 or not? 1,000 feet or -- it

1 says 100. Schools, public schools and youth  
2 centers, churches.

3 MR. GUSTAFSSON: And what that's  
4 referring to is that there is -- shall place or  
5 maintain an advertisement as relates to their  
6 facility (inaudible) form within 1,000 feet of a  
7 school, vocational, and also 100 feet of a youth  
8 center, swimming pool or a church. We could look at  
9 that. Yes, we could modify that zoning requirement.  
10 That is not stipulated as part of our ordinance.

11 FROM THE AUDIENCE: No way. That  
12 can't happen.

13 COMMISSIONER PAYNE: And under  
14 building design, which is on page 4, is handicap  
15 assessibility (sic) and public lavatories included  
16 anywhere in there or --

17 MR. GUSTAFSSON: As relates to ADA  
18 accessible, yes, it would have to meet our building  
19 standards. In regards to a public restroom, it's  
20 hard to say depending on the type of facility,  
21 because of where the public can go versus a  
22 caregiver or a medical marihuana cardholder  
23 themselves.

24 COMMISSIONER PAYNE: Okay. And as far  
25 as the stated hours, would that be an ordinance that

1 makes that decision or how is that?

2 MR. GUSTAFSSON: That was decided by  
3 our ordinance that was approved by the voters.

4 COMMISSIONER PAYNE: Okay. Okay.  
5 That's all I have.

6 MR. GUSTAFSSON: Okay.

7 CHAIR THOMAS: Thank you very much.  
8 Vice Chair Fegley, please.

9 COMMISSIONER PAYNE: Thank you.

10 VICE CHAIR FEGLEY: I'm just going to  
11 listen to the comments.

12 CHAIR THOMAS: I don't have any  
13 comments right now, but I will prior to going to a  
14 motion. So without further ado, I'm going to open  
15 public hearing. Is our sign-in sheet here?

16 MR. GUSTAFSSON: First up is Bishop  
17 Layne LaPage.

18 MS. LOUGHRIN: Excuse me. Since we  
19 sent some people downstairs, would it be possible to  
20 maybe call the next three names so they can come up  
21 and line up just so nobody gets skipped because  
22 they're not here right now?

23 CHAIR THOMAS: Sure. Call the next  
24 five if you want.

25 MR. GUSTAFSSON: Sure. After Mr.

1 LaPage we have Mike O'Hara, Annie Lewis and Robert  
2 Bass.

3 BISHOP LaPAGE: Good evening,  
4 Commissioners. My name is Bishop Lane LaPage. I am  
5 the senior pastor of the Cathedral of Valor at 28  
6 North Saginaw, downtown Pontiac. Also my greetings  
7 to all of you and to your Honor, Mayor Waterman.

8 As Commissioner Payne had asked, I  
9 would like to reiterate that it is my understanding,  
10 and again I'm not a lawyer, I'm a pastor, but 1,000  
11 feet is the standard here in the State of Michigan  
12 in regard to liquor licenses and/or dispensary and  
13 that we should reiterate back to, on the side of  
14 caution, not to err on the side of getting closer to  
15 where children are at on regular basis. As she had  
16 asked, I would ask that you readdress the 500 and  
17 100 feet back to 1,000 feet. And that's really all  
18 I have to say. Thank you.

19 MR. GUSTAFSSON: Thank you.

20 CHAIR THOMAS: Thank you very much.  
21 And by the way, questions that you may have, we will  
22 aggregate all of those questions and we will answer  
23 them at the end of the night so that we're not toing  
24 and froing back and forth. So thank you very much.  
25 Next speaker, please.

1 MR. GUSTAFSSON: That will be Mike  
2 O'Hara.

3 MR. O'HARA: Thank you. My name is  
4 Mike. I own the property, along with my Uncle Ed,  
5 at 1249 Baldwin where the Sav-A-Lot is. We have  
6 been there for about 25 years now. And I think  
7 anybody that knows Ed and knows us from the  
8 community will know that we have been in the City in  
9 good times, when there was a lot of bad times, we've  
10 always been a good citizen, whether it's donating to  
11 the old Pontiac Police Department, the current  
12 Oakland County Sheriffs. Any time that Gleaners or  
13 anybody else needed something we've always been  
14 there.

15 And the reason that I bring all that  
16 up is because it seems like with this zoning you're  
17 neglecting the rest of us who have been here and are  
18 not able to take advantage of this. And what I mean  
19 by that is that we have been here for 25 years, we  
20 have paid taxes, we have renovated, we -- graffiti  
21 goes up, it comes down the next day. We paid our  
22 taxes on time.

23 We spent a million dollars, probably,  
24 over last 25 years renovating the inside. We spent  
25 150,000 this year alone on the parking lot, 150,000

1 last year on the roof. I have 6,000 square feet  
2 that's been vacant for a decade. Rite-Aid moved out  
3 ten years ago and I have not had one serious inquiry  
4 about that vacancy next to the Sav-A-Lot. And now  
5 finally when the phone starts ringing and people  
6 want to actually sign a lease, a legitimate lease  
7 where we can actually make a little bit of money,  
8 you guys are going to tell me that it's not  
9 available to me, that only these specific areas are  
10 okay?

11 It doesn't make sense to disqualify  
12 us, we're C-1. If these retail businesses want to  
13 come here, let us take advantage of that also. Let  
14 everyone else who has business here -- what's going  
15 to happen here -- what's going to happen here is --  
16 how -- do we know how many vacant lots are in those  
17 to two areas? Do you even have 20 that meet the  
18 buffering requirements?

19 FROM THE AUDIENCE: Less than that.

20 MR. O'HARA: You might get 15, 20  
21 applications, period. And if you count all the --  
22 and if you count how many are vacant, maybe not even  
23 that many. So what's going to happen is they're  
24 going to replace existing businesses by buying them  
25 out instead of filling up currently vacant

1 properties, which is what we should want to do.

2 So, I'm asking you to consider not  
3 zoning the people that have been here -- we're  
4 not -- I'm not looking to make a quick buck, we have  
5 been here 25 years, let me take advantage of this  
6 also. Don't zone us out is all I have to say.

7 And I think, Vern, if you know the  
8 number on how many potential places there is that  
9 are vacant that are zoned 1,000 from a school and  
10 500 from all the other things, I think that would  
11 help. There might -- is there even 20?

12 FROM THE AUDIENCE: No.

13 CHAIR THOMAS: Go ahead.

14 MR. GUSTAFSSON: Yeah.

15 CHAIR THOMAS: We'll aggregate all of  
16 the answers at the end of the evening.

17 MR. O'HARA: Excuse me, I have one  
18 more thing. If you -- if you accept -- if you  
19 opened it up and put in commercial, you'd probably  
20 get 100 to 200 applications. You don't need to be a  
21 mathematician, that's 5,000 an application. You're  
22 telling me the City couldn't use an extra 500,000 or  
23 a million dollars in application -- non-refundable  
24 application fees? If you do it this way you might  
25 get 20, if you're lucky. And you'll make a lot of

1 us feel not so welcome in a city that we have  
2 considered our home for the last 25 years. Thank  
3 you.

4 CHAIR THOMAS: Thank you very much.

5 MR. GUSTAFSSON: Next we have Annie  
6 Lewis.

7 (No one approached.)

8 MR. GUSTAFSSON: Robert Bass?

9 MR. BASS: Thank you. My name is  
10 Robert Bass. I'm president of Woodward Estates  
11 Neighborhood Association in District 1, and what I  
12 wanted to say is I kind of applaud what you've done.  
13 I'm not objecting to what you've done with the  
14 overlay, however, I would appreciate -- there are  
15 seven districts in this City, I would appreciate it  
16 if the leaders, if nobody else is given prior  
17 notification so we can be inclusive of any further  
18 action going forward. All of this, even tonight's  
19 meeting came up at the last minute and I had to find  
20 out through being somewhere else. The town hall  
21 meeting which took place and had a round table,  
22 which some of the decisions that were made for this  
23 was taken from that town hall meeting when only four  
24 people were from District 1. And I made it clear  
25 that's not enough people for you to get a well

1 enough asset for a whole district of 4,000 people.  
2 It's just not feasible and I wish you would  
3 appreciate the residents and at least allow us to  
4 have notification so that we can be there if we want  
5 to be there and be inclusive of the process, not  
6 waiting until it's done and then call us and tell  
7 us, "Well, this is what we done in Pontiac." We  
8 didn't do it. Somebody did it to us.

9 And it's a whole lot of things that  
10 even in an ordinance that we would have liked to  
11 have put in there or changed. But we didn't have  
12 that opportunity.

13 So I'm just asking, please, if it's  
14 just Planning, if it's Council, if it's the Mayor or  
15 whomever puts it together, give us prior notice more  
16 than a couple of days or two days, because we have a  
17 lot of people in our districts. Thank you.

18 CHAIR THOMAS: Thank you.

19 MR. GUSTAFSSON: Let me have the next  
20 four or five. Renee Beckley, Thomas Lawrence, Sonya  
21 Leduff Malone and Reverend Douglas Stewart.

22 MS. BECKLEY: First I want to say I'm  
23 against all kinds of drugs. Marihuana is a drug.  
24 Ask the people selling it, will you give you it to  
25 your grandchildren or your own children? Will you

1 give that to them freely? But you want to come in  
2 here and sell it to us. I'm not going to be a  
3 buyer, I'll tell you that. I'm going to tell the  
4 people not to. My cousin started with marijuana,  
5 went onto something stronger, that led to crack  
6 cocaine. My cousin died August 1998. She had two  
7 children, one's a disabled adult.

8 Now onto the Planning Commission.  
9 First of all, if these people come back next year or  
10 whenever they get started again, "Oh, I want to have  
11 something like the Gibraltar's Trade Center for  
12 marihuana, I want a big, big place and stuff. I  
13 want to move more around the City, all over." Are  
14 you going to just keep them there in this area?  
15 Please keep them in wherever they are. This is  
16 okay, I'm not crazy about it, but it's better than  
17 all over the City. We got children here and this  
18 image of -- marihuana is not okay.

19 I mean what you do in your house is  
20 your business. Marihuana is a hallucinary (sic)  
21 drug, makes you have hallucinations. People drive  
22 around high and we're going to be having accidents.

23 Second question to that, the insurance  
24 for the residents. If this type of place is here,  
25 how will that affect our insurance? Have you spoken

1 to an insurance underwriter? Is this -- if this  
2 comes here. How about our takes, that's extra  
3 police. Well, how will that affect our taxes? You  
4 know, everything got an outcome to it.

5 Ordinance. Say for instance, because  
6 I mean, out of this crowd everybody is not going to  
7 be on the up and up. So, the violations, how are  
8 you going to handle the violations? So if they  
9 doing something wrong, maybe this place is smoking  
10 and the whole neighborhood smell like that or they  
11 done gotten into something else or breaking some  
12 kind of law, how are you going -- are you going to  
13 shut them down and tell them not to come back? I  
14 would like to see it down to zero myself, but you  
15 know, it's the law. I mean, I will go to one or  
16 two, but 20, Pontiac is only 20 miles around and  
17 20 miles wide so that's -- if you put them all  
18 around the City, that kind of figures out one per  
19 mile.

20 I mean, we were tricked into this,  
21 people would tell those people that don't read the  
22 proposals, this is for jobs. This is for jobs and  
23 they went in there and voted, they thinking they  
24 going to get a job. You're not going to get a job.  
25 Because I see most of people around here think

1       it's -- I'm not going to be -- it's nice as being  
2       prejudice, but the culture what I read is they only  
3       hire the relatives and the family and their friends.  
4       So --

5                   CHAIR THOMAS: I'd like to ask you  
6       to --

7                   MS. BECKLEY: -- basically the  
8       ordinance, like I want to know the ordinance. If  
9       they come here next year, the year after, "We want  
10      to move around" and are you going to stop them? And  
11      if they violate, what's the insurance rate and  
12      what's the taxes, how that's going to affect  
13      Pontiac. Thank you.

14                   CHAIR THOMAS: Thank you very much.  
15      Next up is?

16                   MR. GUSTAFSSON: We have Thomas  
17      Lawrence.

18                   MR. LAWRENCE: Good evening,  
19      everybody. My main concern is really about the  
20      community. I mean, like, when they were saying a  
21      lot of these folks in here, you know, they're  
22      entitled to private enterprise all of that, but at  
23      the same time being considerate of our community in  
24      regards to family and children. I'm very concerned  
25      about health and safety issues in the community and

1 about the zoning with regards to how many facilities  
2 are going to be placed in certain areas of the City  
3 of Pontiac, which is very small.

4 And that's my main concern. It kind  
5 of angers me that this is even going on and some of  
6 the people up here on the Board I'm really ashamed  
7 of for the very fact that they're, you know -- I  
8 know it's something that was passed by an ord -- it  
9 was passed and everything, but at the same time we  
10 really didn't have a voice of people who represent  
11 us in this City to speak out against it other than  
12 some city council members and political action  
13 groups and social activists, of which I'm one. And  
14 I'm very concerned about that because I've worked in  
15 the field of social work for close to 30 years and  
16 now I'm in private practice and I deal with a lot of  
17 clinical. And just dealing with people coming out  
18 here and then they're going to be -- whatever  
19 they're going to do, the use of the marihuana, what  
20 ever the case may be, I'm just very concerned about  
21 the aftermath, some of the repercussions of what  
22 could be going on in our neighbors. And -- you  
23 know, with regards to crime going up, with regards  
24 to even property values and just different things  
25 that people are concerned about.

1           None of these people I'm quite sure  
2           that I pretty wrangling for this are living in the  
3           City of Pontiac. It's different when you live in  
4           the City and then you have to deal with it as  
5           opposed to just having a business in the City and  
6           then you can come back and then you can go back  
7           home. So that's my main concern.

8           CHAIR THOMAS: Thank you very much.

9           MR. GUSTAFSSON: Sonya Leduff Malone.

10          MS. MALONE: Yes. I'm Sonya Leduff  
11          Malone. I have some of the same type of concerns  
12          that Mr. Lawrence has and Renee Beckley have.

13          Me myself, I am concerned about crime  
14          and everything like that, and for it being around  
15          children and if this is going to be expanded into  
16          other districts. Is this just the -- you know, a  
17          concentrated area or are they going to put it  
18          downtown, I mean, I'm hearing that it's just right  
19          now in this district. Is this something for future  
20          tenants that you're going to do as far as expanding  
21          it and is there something where even though that was  
22          passed to say there's 20, are you just going to keep  
23          it at a certain minimum?

24          I know it was passed like that and I'm  
25          kind of questioning how it was passed, the recount

1 and everything like that. I would like further  
2 explanation about that too.

3 And I would like also for the Planning  
4 Commission to put some representation that's like a  
5 city council person up there as well, and somebody  
6 who actually lives in the City of Pontiac. I think  
7 there's one person, maybe, but I would like some  
8 representation and to know about things before it  
9 gets to this point.

10 CHAIR THOMAS: Well, I mean, normally  
11 I -- I will correct me own procedure here. Everyone  
12 lives in the City of Pontiac that's on this  
13 Commission.

14 MS. MALONE: Oh, you stay here in the  
15 City of Pontiac?

16 CHAIR THOMAS: I'm sorry?

17 MS. MALONE: You live here in the City  
18 of Pontiac?

19 CHAIR THOMAS: For 70 years.

20 MS. MALONE: Okay.

21 CHAIR THOMAS: 73 years.

22 MS. MALONE: Okay. All right. I'm  
23 just checking.

24 CHAIR THOMAS: 73 on November  
25 the 19th. My folks moved into the house in August

1 of 1945, so I think I'm just kind of qualified.

2 MS. MALONE: All right.

3 CHAIR THOMAS: If there is anyone  
4 that's been out there longer than me -- thank you.

5 MR. GUSTAFSSON: We have Reverend  
6 Douglas Stewart.

7 REVEREND STEWART: Good evening.  
8 Reverend Douglas Stewart. I'm sorry, I don't  
9 believe you, you can't be over 50, so --

10 CHAIR THOMAS: You're very kind.

11 REVEREND STEWART: Okay. I may wear a  
12 collar, but I'm not naive. My former address in  
13 1969 the was the corner of Haight and Ashbury in San  
14 Francisco. I'm well familiar with drug culture, I  
15 was part of it. We have allowed marijuana to come  
16 into our city, and we have -- or will allow, I hope  
17 not, it's expansion. Because with -- there have  
18 been people who have already spoke to that.

19 I have -- I'm in charge of a homeless  
20 mission in the downtown Pontiac. I've had thousands  
21 of homeless people in the last six months alone.  
22 Just to the north of me is a liquor store, just to  
23 the south of me is a head shop. You know, when life  
24 hits you the face, which hits us all, you turn to  
25 alcohol, you wind up in the street. You turn to

1 drugs, you wind up in the street. We are the ones  
2 that are the cure, this marijuana is the cause.  
3 It's a contributor to it. Now we can't keep it out  
4 of the City, but we can keep it out of downtown. We  
5 can keep it out of places where the homeless dwell,  
6 who have a propensity to use drugs. We need to be  
7 cautious because just south of Pontiac in Detroit we  
8 have seen the abuses of medical marihuana. And  
9 let's not be naive, it's not medical marihuana, half  
10 of it is recreational.

11 So we need to be aware of that fact.  
12 We need to proceed with caution. I -- if we have to  
13 have it, we need zones like you're proposing that  
14 stay well away from the children, well away from --  
15 1,000 feet is the mandate by the State. We need to  
16 keep it 1,000 feet from churches, from daycare  
17 centers, all of these things. Keep it out of where  
18 the homeless live and where they dwell, out of  
19 Baldwin Center area, Grace Center of Hope's area,  
20 downtown Pontiac. We need to be aware of that. We  
21 need to keep it out and keep it from expanding.  
22 Thank you for your time.

23 CHAIR THOMAS: Thank you very much.

24 MR. GUSTAFSSON: The next five will be  
25 Joe Sinclair, Norbert Burrows, Chuck Johnson, and

1 I'm going to say -- I'm not too sure how to  
2 pronounce the first name but I'll just say Mr. and  
3 Mrs. Ramsey. Can't read the writing.

4 MR. SINCLAIR: Good evening,  
5 everybody. I think a lot of you already know my  
6 position in the City, even those who are not here  
7 from the City. Can I get a hand raised of everybody  
8 who is from Pontiac right now. That you live here  
9 in the City?

10 FROM THE AUDIENCE: From Michigan.

11 MR. SINCLAIR: Pontiac, Michigan. You  
12 live here in the City right now? Not a business,  
13 but you here in the City right now? That's -- you  
14 see how many hands in the room?

15 FROM THE AUDIENCE: We're from  
16 Michigan.

17 MR. SINCLAIR: I'm going to say it  
18 like this, and I'm going to keep it very real and  
19 frank. Come November 6th, the legal ballot and the  
20 legal initiative is going to trump all of this  
21 medical. We are over saturating and we're over  
22 planning. The State is going to have another  
23 license just for legal purposes --

24 FROM THE AUDIENCE: That's true.

25 MR. SINCLAIR: -- and recreation. I

1 don't know anybody in their right mind who is going  
2 to plunk down tens of -- and hundreds of thousands  
3 of dollars for a state license for medical, when the  
4 legal license is going to be cheaper. And the City  
5 is going to have to come back and start this process  
6 all over again because they're going to have to  
7 either opt in or opt out.

8 I advise everybody to really sit down  
9 and study these proposals. We're jumping the gun  
10 here. I want to know everybody who hand didn't  
11 raise, are you all planning to open up and do it in  
12 your communities too?

13 FROM THE AUDIENCE: Yes.

14 MR. SINCLAIR: You are? Because I am.  
15 I'm coming to where you all at.

16 FROM THE AUDIENCE: We welcome you.

17 MR. SINCLAIR: You already have  
18 welcomed us. If you shopped at Pink Pump or P2  
19 Exchange, we have been in all of the high rent  
20 districts before. We're going right back with a  
21 different product. The thing is, you're not going  
22 to impact our children. Think about your children.  
23 Would you want me to open up shop across from your  
24 home? Think about it. Again, the legal is going to  
25 trump all of this. You're going to spend unneedless

1 (sic) money. If you're in business, I advise you to  
2 rethink this. Go back and look at the law. Because  
3 it's going to be better for you to go with a legal  
4 purpose rather than a medical, even in the area of  
5 prosecution.

6 Now, all of the pastors in the room,  
7 this is what I would like to hear you all do. Let's  
8 get a clarion call, since they're going to vote it  
9 legal, let's start a clarion call to get those who  
10 are in jail out of jail on marijuana since we're  
11 going to legalize it for cultivation and  
12 recreational use. Now speaking in terms of  
13 agriculture, I advise everybody to get a dictionary.  
14 Good evening.

15 MR. GUSTAFSSON: Next on board,  
16 Norbert Burrows.

17 MR. BURROWS: Good evening, everyone.  
18 Jane -- Jane you're going to get enough for calling  
19 police on citizens in Pontiac. We don't need that.  
20 You don't got to call the police for something petty  
21 like being in the room. That's -- that's stupid,  
22 that's unheard of.

23 CHAIR THOMAS: I want to remind you,  
24 we keep these conversations --

25 MR. BURROWS: Let me tell you this --

1 I got the mic, sir.

2 Now listen, I'm not against the  
3 marihuana being here, it was voted on. It's here.  
4 We got to face. What I don't want is the  
5 dispensaries in the neighborhoods. That's my only  
6 thing. We're not going to have dispensaries on  
7 every corner in the neighborhoods. I would like  
8 that 1,000 feet from the youth recreation center,  
9 1,000 feet from the daycare, I would like that. I  
10 don't have any problem with that. Just don't try to  
11 set up in the neighborhoods.

12 Also, would this affect the property  
13 values, like is that going to make our property  
14 values go up, go down? I'm kind of concerned about  
15 that also. And I heard you speak a couple of times  
16 about you wanted what was best for the City and what  
17 was best for the citizens. Well who did you talk  
18 to? Did you talk to the citizens or just you guys  
19 came up with this on your own? But if you're going  
20 to speak for the City, you got to talk to the City.  
21 Thank you.

22 FROM THE AUDIENCE: That's right.

23 CHAIR THOMAS: Thank you. Thank you.

24 MR. GUSTAFSSON: Chuck Johnson.

25 MR. JOHNSON: That's me. I don't

1 really know where to begin, but I want to direct my  
2 comment to you, Mayor Waterman. This process that's  
3 been used here this evening, does not work favorably  
4 for those of us here in the City who have businesses  
5 or have been here for a long-term. You directed  
6 these business -- these zoning areas in the side of  
7 town where there's no kind of development, there's  
8 no really revenue stream in that area. You passed  
9 up the area where -- on the south side of Pontiac  
10 where all of the growth is happening, where these  
11 would -- the facilities would be approving reason  
12 for them to be there. You've locked out all of the  
13 business folk in the City.

14 Now, I have been here just like the  
15 gentleman that spoke first, I've been here for over  
16 54 years. I paid my dues in this town and I think  
17 it's time for me to get something back. And I want  
18 the opportunity to either sell or utilize my  
19 property on South Boulevard. It would be my hope  
20 that you would change the -- the gentleman next to  
21 you, change his mind or somebody's mind about how or  
22 where these facilities going to be located. I got a  
23 lot I can say tonight, but I'm not going to spend  
24 half of the evening talking about stuff that you  
25 folks already know about. We were supposed to have

1 an opportunity to talk about this before, before you  
2 selected the areas that you selected. Thank you  
3 very much.

4 CHAIR THOMAS: Thank you.

5 MR. GUSTAFSSON: Next is either Mr. or  
6 Mrs. Ramsey. Can't pronounce -- oh.

7 MS. RAMSEY: Tameka.

8 MR. GUSTAFSSON: Tameka.

9 MS. RAMSEY: Thank you.

10 MR. GUSTAFSSON: Okay.

11 MS. RAMSEY: So, my concern is that,  
12 one, with this ordinance, will you be looking at a  
13 community benefit agreement so that we are putting  
14 money back into the City, so that we are rehabbing  
15 parks so that we have more neighborhood community  
16 centers? We have talked about this whole -- we're  
17 having this conversation because Jobs for Pontiac  
18 came out and said there will be jobs for Pontiac.  
19 So how many Pontiac residents going to have jobs?  
20 How many community centers are going to open? Where  
21 is the money going to be reinvested back into the  
22 community? I think that's important to know.

23 I also think it's important that we  
24 have this conversation on where they're going to be  
25 before you tell us where they're going to be. There

1 are people who live here. That area isn't -- isn't  
2 vacant of residents. So I don't know where you all  
3 are getting you all stuff from. And the fact that  
4 you said everybody live up there in Pontiac, and  
5 when Mr. Sinclair asked some people up there didn't  
6 raise their hands, be transparent, make sure you're  
7 doing it for the people who pay taxes, the people  
8 who unlike other people when the City got bad moved  
9 out of here, can't go anywhere. Make sure that the  
10 children have something coming from this since  
11 you're fixing to be putting all of this weed into  
12 our community.

13 We seen what happened in Detroit.  
14 Detroit neighborhoods didn't just sprout up, you  
15 know, they don't have parks on every corner. Their  
16 neighbors are not clean. So just don't come in here  
17 lying, looking for you all own best interest or that  
18 of people who you all working with or for. Please  
19 make sure that you are thinking of the people.

20 And one meeting, one town hall at the  
21 Bowens Center where there were more people who were  
22 looking to open dispensaries than people who lived  
23 here, does not count as talking and hearing the  
24 residents. And going to a couple of meetings across  
25 the City does not count as involving the residents.

1 There are people up there that can be recalled and  
2 can be re-elected -- un-elected. And just know that  
3 if this stuff happens the way that it's going down  
4 tonight, some of you all are not going to have a job  
5 come February next year.

6 CHAIR THOMAS: Thank you.

7 MR. GUSTAFSSON: The next four in line  
8 would be Robert Hynes, Martin Sema, Jenn Zielinski  
9 and Mike Langey (sic).

10 CHAIR THOMAS: Lange.

11 MR. HYNES: Hello, my name is Robert  
12 Hynes, I'm a resident of Pontiac.

13 I've been an advocate for medical  
14 marihuana since I've watched it take my sister's  
15 seizures from one a day to about one a month. And  
16 since then I have educated myself a lot on the  
17 can -- on cannabis and I realized that there  
18 wasn't -- there wasn't enough negatives to outweigh  
19 the positives. I'm saying this because I'm an  
20 advocate and I think this should be wherever  
21 commercial retail should be. I don't think it  
22 should be limited basically at all.

23 But having said that as a Pontiac  
24 resident, it just -- it doesn't make sense for us to  
25 put them in these C-3 zones. I mean, we -- people

1 are going to drive to -- from out of Pontiac, drive  
2 to a dispensary and drive right back out. We need  
3 to drive traffic to the downtown area. It makes  
4 sense. There's way too many vacant buildings  
5 downtown, and I just think it would -- people will  
6 stay here -- I'm sorry, show some respect, please.  
7 Thank you.

8 I just think it's important that we  
9 do -- you know, for the City and for the businesses  
10 that we generate the traffic that medical marihuana  
11 is going to do. We have 50,000 patients in Oakland  
12 County and they have no place other than Detroit to  
13 get their medicine. I mean, it -- I understand, you  
14 know, why you put it because you have these certain  
15 restrictions and you have to say these blanket, you  
16 know, C-3, C -- but I just think that we're doing a  
17 mistake, we're -- having the same mistake that  
18 Detroit did, we're not putting them where it  
19 benefits the City.

20 Now I understand if they were on  
21 Telegraph or something like that because, you know,  
22 Waterford could open them up and, you know, why  
23 give -- why have Waterford get the money as opposed  
24 to us. But, I mean, where they are standing now I  
25 don't really see any rhyme or reason for it other

1           than this is what you guys chose.

2                       In addition for, you know, jobs to go  
3 to the residents, I think there should be an  
4 additional fee, I don't know if that's a part of the  
5 application fee, that goes to training Pontiac  
6 residents. Because what you'll see and -- most jobs  
7 will go to people's relatives, their friends,  
8 because those are the people they feel comfortable  
9 with. If they come out of a school that trains them  
10 for this, and I'm talking about this because I'm  
11 currently working with other Pontiac residents to  
12 create a curriculum, this will give them basically  
13 job placement right out of the school. And I think  
14 it's important that we think about the Pontiac  
15 residents and the jobs that are going to be created.  
16 Because there's going to be a lot of jobs created.  
17 I mean, one dispensary I have -- I'm a part owner in  
18 a dispensary in Ypsilanti -- one dispensary have 24  
19 employees. I mean, there's quite a bit of employees  
20 that it takes to run a dispensary. Thank you for  
21 your time.

22                               CHAIR THOMAS: Thank you. Please  
23 state your name and address for the record, please.

24                               MR. SEMA: Martin Sema, 701 Orchard  
25 Lake. So I fall in the C-1 zone and I strongly urge

1 that you add C-1 to the zoning. Our plan talks  
2 about hiring a tremendous amount of people from  
3 Pontiac, going over the limits on minimum wage,  
4 doing a great amount of work for the community. We  
5 are an approved applicant in another city. We're an  
6 applicant that can bring a lot of weight to the  
7 City, work with the community, so I strongly  
8 recommend what Mr. Burrows said earlier this  
9 evening, but to limit us in certain zones is  
10 definitely not a good idea. Thank you.

11 CHAIR THOMAS: Thank you.

12 MR. GUSTAFSSON: Jenn Zielinski.

13 MS. ZIELINSKI: Hi. Good evening.

14 Jenn Zielinski with Dunaskiss Consulting.

15 CHAIR THOMAS: Please state your name  
16 and address for the record.

17 MS. ZIELINSKI: 169 West Clarkston,  
18 Lake Orion.

19 CHAIR THOMAS: Thank you.

20 MS. ZIELINSKI: Thank you for taking  
21 the time to obviously read through 19 pages of an  
22 ordinance as well as, you know, 12 or 14 of the  
23 regulatory that was passed by the voters, and doing  
24 your due diligence to bring this forth to the City.

25 I do have a couple of comments with

1 regards to some of the things that we have been  
2 hearing tonight. One thing with regards to  
3 marihuana, even medicinally speaking and actually  
4 specifically with regards to medicinal, this is  
5 already in your neighborhoods. That was a law that  
6 was adopted by the voters here in Michigan in 2008,  
7 and it allows an individual to grow up to 12 plants  
8 in their home, or a caregiver to grow up to 72  
9 plants. And this happens in residential  
10 neighborhoods throughout the State, including the  
11 City of Pontiac.

12 So, what the commercialization of this  
13 market has done is created a path for these  
14 caregivers who are currently operating in your  
15 residential neighborhoods to create a licensing  
16 structure that is going to get them out of the  
17 shadows and into a taxable, commercialized market  
18 that is going to be monitored and facilitated by the  
19 State as well as local law enforcement and the  
20 Department of Licensing and Regulatory Affairs.

21 The economic development that is  
22 generated from this industry is astounding. I have  
23 testimonials from companies or businesses that have  
24 been located adjacent to a dispensary and they have  
25 seen the foot traffic and their profits double in

1 some cases because of the increased foot traffic  
2 that a provisioning center brings. It's much like a  
3 restaurant, a provisioning center is well-lit, there  
4 is constant traffic coming in and out, patients.  
5 These patients don't just go to dispensaries or  
6 provisioning centers, as we now call them in  
7 Michigan, but they also stop at the gas station.  
8 They stop at the corner store to pick up a gallon of  
9 milk on their way home. This increases business  
10 opportunity not just in the marihuana space, but  
11 other businesses as well.

12 We have seen the uptick in property  
13 values and I'm sure that some of you have heard and  
14 if you haven't, to the gentleman who spoke first,  
15 Mike his comment with regards to the inquiry that  
16 he's had on a vacant building he's had many serious  
17 inquiries. I know personally of properties that  
18 have been offered double the price of what the  
19 listing was for here in the City. What that does  
20 for your taxable property value is significant not  
21 just for that one land, that one parcel, but it  
22 stretches across the entire district. It increases  
23 the property value for everyone, not just for  
24 marihuana.

25 FROM THE AUDIENCE: Thank you.

1 MS. ZIELINSKI: And if you don't --  
2 with regards to the overlay, the one thing that I am  
3 concerned, first of all, because to locate 20  
4 provisioning centers there you do have residents  
5 there. So, those residents are now left to deal  
6 with 20 as opposed to spacing them out throughout  
7 the City so that they're more dis -- more  
8 distributed equally. And I'm not saying put it near  
9 the residents, but I'm saying we have residents in  
10 these two overlays, so does their opinion not count?  
11 It makes it more sense to spread it out and spread  
12 the economic wealth throughout the City and not just  
13 in one small overlay.

14 Further, if you move forward with just  
15 this overlay, I can tell you what will happen when  
16 you want to open this up, is that you will be met  
17 with lobbyists that you've already been met with  
18 advocating for you not to open it up. Because the  
19 businessowners that are going to be able to locate  
20 in here are going to come to your doors knocking  
21 saying, "Don't open it up, we want to be the only  
22 ones. We want to monopolize on this market. We  
23 want to keep it just in our area. We want to be the  
24 only ones." And that doesn't necessarily speak well  
25 for business opportunity.

1 CHAIR THOMAS: I need to ask you to  
2 wrap it up -- wind it up here, please.

3 MS. ZIELINSKI: Sure. To Rob's point,  
4 there are 50,000 patients here in Oakland County.  
5 Those patients go to Detroit right now. Pontiac has  
6 a very unique opportunity to be able to draw on  
7 those 50,000 patients coming to the City of Pontiac,  
8 spending their money here in the City of Pontiac,  
9 and not going down to Detroit. Not just Oakland  
10 County, but you'll have Macomb County. People want  
11 to come where they're familiar and Pontiac is a  
12 familiar city for the residents of Oakland County.

13 CHAIR THOMAS: Thank you.

14 MR. GUSTAFSSON: Last one is Mike  
15 Lang.

16 MR. LANGE: Good evening. Mike Lange,  
17 325 West Walton. My concern is just like Save-On  
18 (sic), that, you know, as far as the zoning, the  
19 C-1, a lot of us has been here a long time. I'm  
20 with Silver Lake Plaza there and, you know, we have  
21 been here for 27 years, and struggled through hard  
22 times and, you know -- it's like he said, it just --  
23 I feel like we've been taken out of the picture when  
24 we've sat on vacancies and struggled. I mean, we'd  
25 love to put a parking lot in and, you know, it

1 just -- it can't happen with the economics that are  
2 there.

3 And, so I'd ask that you reevaluate as  
4 far as the zoning and C-3 and include C-1 in on it.  
5 And I appreciate your time.

6 CHAIR THOMAS: Thank you.

7 MR. GUSTAFSSON: The next five will be  
8 Paul Audack (ph), Tim Campbell, Marcellus Brice, and  
9 Nick Simpson.

10 CHAIR THOMAS: Mention those names  
11 again. Paul has already -- all his questions  
12 already been answered.

13 MR. GUSTAFSSON: Tim Campbell,  
14 Marcellus Brice, Nick Simpson.

15 MR. BRICE: Marcellus Brice, Capital  
16 Strategic Group, 7759 LaSalle Boulevard, Detroit,  
17 Michigan.

18 To this honorable body, good evening.  
19 I just want to make a few very brief comments about  
20 the ordinance. Though I do appreciate the intent of  
21 where this ordinance came from, I do think that  
22 there are some major problems within this ordinance.  
23 One, the City of Pontiac is a creature of the State,  
24 and by that cannot create an ordinance that is in  
25 direct conflict with the State law. And I think

1 there are some direct conflicts within this  
2 ordinance as it relates to some of the regulations  
3 that you guys have put into it that will come into  
4 direct conflict with the State, which will open you  
5 up to lawsuits.

6 Two, I don't think that you thought  
7 about the traffic issue. By grouping these  
8 provisioning centers in these residential  
9 neighborhoods, because the vast majority of the C-3  
10 that has been proposed to these overlay districts  
11 are in residential community. The traffic flow to  
12 the residents is going to annoy them and is going to  
13 be an issue and is going to be a problem.

14 Also, I would like to say that I think  
15 it makes more sense just listening to the people who  
16 have come out here tonight, and people who have come  
17 out to other meetings that I've attended, is that  
18 they don't want this in their community. So, don't  
19 put it in the community.

20 You can easily have an ordinance that  
21 I think a lot of folks here would be much happier  
22 with if you put these things in industrial park,  
23 M-1, M-2 and downtown. That takes them out of the  
24 community, that takes them out of the children and  
25 it takes the traffic away from the residents.

1           So I really think that this plan  
2           should be reconsidered. It should be re-looked at,  
3           maybe that this Board should vote this ordinance  
4           down and send it back to be rewritten with these  
5           considerations.

6           Because, like I said, there are some  
7           potential lawsuits in this ordinance. There are  
8           also -- there's some traffic issues that I don't  
9           think was taken under consideration, and then, like  
10          I said, the vast majority of these areas that has  
11          been selected in the overlays are in residential  
12          neighborhoods when it relates to C-3. So if you  
13          remove C-3, you add downtown, you add industrial  
14          park, you also then have fulfilled the ordinance  
15          requirements to put in enough -- enough zoning lots  
16          that will allow for the 20.

17          So, that will be my recommendation to  
18          you guys. Thank you.

19          CHAIR THOMAS: Thank you very much.

20          MR. GUSTAFSSON: Nick Simpson.

21          MR. SIMPSON: Nick Simpson. Well,  
22          good news for the people -- for the folks on Walton  
23          and Cesar Chavez, because you guys are basically  
24          just giving them a winning lottery ticket and making  
25          it very unfair for any other landowners in the City.

1 This is not how the facility's ordinance was passed.  
2 It was passed as you had up on the first slide  
3 there, 500 feet away from, you know, everything,  
4 1,000 feet from schools. This proposal here is  
5 basically just pushing away, for lack of a better  
6 term, the scrap of the City.

7 If you actually look back to the  
8 zoning map that you had of the City as a whole, if  
9 you (inaudible) in there, you know, they'll barely  
10 be visible on there except for the ones that you  
11 then (inaudible) there. So I think this is a  
12 very -- very unfair to the many other different  
13 areas of the City that this could benefit from, and  
14 like Jenn from Dunaskiss Consulting had mentioned,  
15 you know, spreading it across the whole city.  
16 Thanks.

17 CHAIR THOMAS: Thank you.

18 MR. GUSTAFSSON: Let's see. Blair  
19 McGowan, Rochelle Griffin (ph).

20 MR. MCGOWAN: Hi. Blair McGowan, One  
21 South Saginaw, Pontiac. I was quite surprised this  
22 morning when I got to read the proposed ordinance  
23 that was put forth. I, in general, have a great  
24 deal of respect for the Planning Commission, you  
25 people are straight shooters and -- and you've got a

1 good -- very fine reputation. And despite Chairman  
2 Thomas's ancient age, his brain works real well and  
3 he's pretty straight, very straight.

4 I've been here since 1988 and I've  
5 seen some ups and downs in downtown Pontiac. When  
6 we opened up the Eagle Theater, we were one of two  
7 businesses downtown and there were blocks that had  
8 no open businesses and some that had one. I  
9 remember in 1991, when the head of the DDA, Frank  
10 Todd, spent DDA money and repaired the broken  
11 windows up and down Saginaw and Lawrence and he did  
12 that to get the ball rolling.

13 When we opened up Industry Nightclub  
14 we had 5,000 people coming downtown Pontiac every  
15 week, and that went on from 1991 to almost 1999.  
16 Those were very good times and that jump-started the  
17 resurgence of downtown.

18 I remember in 1994, on August 14th,  
19 when the City shut the Strand Theatre. It was being  
20 opened, it had a million dollar investment and it  
21 was shut down because of some technical building  
22 code violations. It was political hit job, it was a  
23 mistake. And it's now, in 2017, trying to reopen.

24 I remember just a few years ago, when  
25 the City decided to knock down the Phoenix Center in

1 order to increase more traffic in downtown Pontiac.  
2 And thank goodness the Mayor and the council are  
3 reversing that decision. But we need traffic  
4 downtown and I felt that this ordinance was going to  
5 create traffic downtown Pontiac. It's my  
6 understanding that there's some 12 properties in  
7 downtown Pontiac that are under contract for sale.  
8 I don't have any of those 12. That the typical  
9 price is two to three times what they're asking  
10 price was, two to three times what the market will  
11 be, and that is going to increase property values in  
12 all of downtown. It's going to increase tax  
13 revenue. And that's very good.

14 I also understand that the argument  
15 that has been proposed by the folks suggesting this  
16 ordinance, and that is that these -- this district  
17 is in TIFA Zone 3, and therefore the tax revenue  
18 will help pay off the bonds, I don't think that's a  
19 valid argument. I think the City Council can vote  
20 that tax revenue garnered from anyplace in the City  
21 can be allocated any way it wants, including TIFA  
22 Zone 3. So what's good for any spot in the City can  
23 be good for TIFA Zone 3 if it requires additional  
24 funds to pay off those bonds.

25 In general, I would hope that you will

1 consider an amendment to your recommendation to the  
2 City Council to increase the zoning areas to include  
3 the central business district and other areas that  
4 you may consider. I think that would be good --  
5 would be consistent with what the majority of the  
6 citizens want. You will still be in compliance with  
7 the 1,000 feet, the 500 feet, et cetera, to keep it  
8 away from sensitive uses.

9           Again, I respect what you're doing and  
10 I hope you will consider expanding your  
11 recommendation with an amendment. Thank you.

12           CHAIR THOMAS: Thank you.

13           MS. GRIFFIN: Again, my name is  
14 Rochelle Griffin. I want to start by saying --

15           CHAIR THOMAS: Your address, please.

16           MS. GRIFFIN: I'm sorry. I live in  
17 Turtle Creek Apartments on Perry. I would like to  
18 not say my home address. But I am a Pontiac  
19 resident and I do operate a business in Pontiac.

20           I want to start by saying, I grew up  
21 in Pontiac. I left and went to school and then I  
22 went and worked in the field. I came back after ten  
23 years because my mom opened a business. We are not  
24 originally from here, but she has lived here over  
25 20 years. She is passionate about the City. She

1 loves being here. She loves the City. Since I have  
2 been back I have made a daily conscious effort to be  
3 present. Leaving at 17 and coming back at 27, 28 is  
4 totally different. Every time I am present at a  
5 table, it is a clear divide between faces that don't  
6 live here and the community, and I think that is  
7 something that has been stated repeatedly.

8 So, yes, people do have the ability to  
9 come and open up a business in a city in which they  
10 don't live, but not when you don't consider the  
11 people who live here. I would never go to Auburn  
12 Hills or Lake Orion or Rochester or anywhere else  
13 and open a business and not care about what the  
14 residents, who I wanted to pay my money and support  
15 me financially, have to say. It makes absolutely no  
16 sense.

17 To even threaten, because we were  
18 threatened for standing up, myself, Norbert Burrows,  
19 Tameka Ramsey, we were threatened by the Deputy  
20 Mayor to have the police called on us for standing  
21 up and then to say "I'm sorry you didn't arrive on  
22 time", I am -- we are very much present in the City,  
23 we have direct connection to the community. Again,  
24 there's no offense to these faces in this room, but  
25 I've sat at tables where people have literally said,

1 "I came to Pontiac because the property value was  
2 low. I came to Pontiac because the real estate is  
3 great." And the reality is, Pontiac is going  
4 through a gentrification, so yeah, right now it is  
5 prime real estate.

6 So if you are going to come here, the  
7 bigger issue is no, you should not come anywhere and  
8 not care about what the residents have had to say.  
9 And even as we have conducted this process, right,  
10 and I've been sitting in the audience, people are  
11 saying "Wrap it up" and I don't -- and I don't in  
12 any way -- that was a waste of my time, right?  
13 Because you don't want to hear what the residents  
14 have to say, right?

15 So I don't understand why even come  
16 here. If you're going open up a business in your  
17 own -- wherever you live, then stay there. Do that,  
18 okay? If that's what you want to do. But please  
19 don't tell me that my opinion doesn't matter.  
20 Please don't tell me that where you place marihuana  
21 dispensaries -- I'm originally from Philadelphia.  
22 There are marihuana dispensaries all throughout  
23 Philadelphia. There are constantly smash and grabs.  
24 So when you say "Yes, I would put one across the  
25 street from my home", no, you would not. Because

1 you will be constantly -- constantly there are smash  
2 and grabs. There's crime, there's an increase. And  
3 of course you don't care because you don't live  
4 here.

5 So, yes, again, it does matter. And  
6 I'm sorry if I feel -- if I seem a little  
7 passionate, I'm sorry if I seem a little irritated,  
8 but I'm tired of sitting at tables where people who  
9 don't live here tell me they don't want certain  
10 people living in affordable housing downtown. I'm  
11 tired of sitting at tables where people tell me  
12 Pontiac doesn't support Pontiac, or they don't want  
13 to be -- they don't think they should be validated  
14 by citizens that live here. But you want to come  
15 and capitalize off the prime real estate. And you  
16 want to come and capitalize off the low property  
17 values.

18 And to the people who are sitting up  
19 here, no, I don't know you personally, but just keep  
20 in mind the residents, right. So we're talking tax  
21 breaks and all these other things, again, keep it --  
22 you say you live here. That's great. But just  
23 think, would you want that in your neighborhood, on  
24 your corner, across from wherever you live in  
25 Pontiac? The same things we're saying, would you

1 want those things in your neighborhoods? Would you  
2 want those things for your children or your  
3 grandchildren? Nobody is saying anything  
4 unreasonable. Again, if you don't live somewhere  
5 that it doesn't affect you, you can't resonate it  
6 and you don't care. Thank you.

7 CHAIR THOMAS: Thank you.

8 MR. GUSTAFSSON: The last of the  
9 people that have signed up on the list is Julia  
10 McDuff (sic). It's -- she lives at 230 -- or --  
11 yeah, 239 West Pike. Then there's Todd Levy, Jamie  
12 Webb, Juanita Macomb, lives on Franklin, and then  
13 last is Craig Aronoff.

14 FROM THE AUDIENCE: (Inaudible.)

15 MR. GUSTAFSSON: Yes.

16 FROM THE AUDIENCE: Thank you.

17 MS. RUFFIN: Good evening. My name is  
18 Julia Ruffin and I am a resident. I'm going to  
19 state for the record, I was not for this, but I know  
20 this is what is being brought before us.

21 CHAIR THOMAS: Can you state your  
22 address for the record, please.

23 MS. RUFFIN: 239 West Pike.

24 CHAIR THOMAS: Thank you.

25 MS. RUFFIN: There is a lot of

1 opportunity in Pontiac. There are a lot of things  
2 that are happening in Pontiac, we have halfway  
3 houses, we have group homes. We have crime. I  
4 don't see how this is going to benefit us. My  
5 question is, property value, I know that's been  
6 brought about. They're saying increase, okay, by  
7 how much? I have a house. We been talking about  
8 jobs. How many jobs? Okay? The way they promoted  
9 the whole thing to me was racist because you've got  
10 black people smiling. Jobs. And I'm like, really?  
11 Families. I don't know families that's benefitting  
12 from marihuana broke in their neighborhoods. I  
13 don't know any.

14 Now, I have people in my family who  
15 have had cancer who had to use medical marihuana.  
16 It has its place. But 20 in one small community  
17 with all of the problems that we have? That is  
18 crazy.

19 The next thing, if putting it in the  
20 red light district, one spot, relocate the residents  
21 out of that area and just make it just for that  
22 area. Do that. For the business people that have  
23 been here, give them an opportunity to benefit in  
24 that district, and move the people, relocate the  
25 residents, give them the option. Help relocate them

1 out of that area, if we got to have it. But I --  
2 I -- you know, I -- I don't know.

3 But I'm concerned about the children,  
4 I'm concerned about my property value, I'm concerned  
5 about my car insurance. How much is my car  
6 insurance going to go up? We're paying 2- and \$300  
7 in car insurance. We got -- I have a old car.  
8 Okay? So it's a lot of other things that I think  
9 need to be brought to the table before we start  
10 voting on stuff. What's the impact -- again,  
11 somebody said taxes, what's the impact on the law  
12 enforcement? Code enforcement. Who's going to pay  
13 for that? The dispensaries, are they going to pay  
14 for it or is it going to come out of my pocket?

15 FROM THE AUDIENCE: It does, yes.  
16 It's in the State law.

17 MS. RUFFIN: Okay. But, am I going to  
18 have to pay for the smash and grabs when somebody  
19 decide they want to knock somebody in my family over  
20 the head because they can't -- they don't have  
21 enough money, or the offshoot, if they can't afford  
22 whatever rate that they have to pay to try to get  
23 the medical marihuana? Then you got offshoots,  
24 because you're going to get undercut. You're going  
25 to have somebody trying to do it on the black

1 economy side once you legalize it.

2 FROM THE AUDIENCE: They're doing it  
3 now.

4 CHAIR THOMAS: Please refrain from  
5 speaking when you're not at the podium, please.

6 MS. RUFFIN: And what's the  
7 incarceration rate, okay? If they're doing it  
8 illegally now how many people are going to jail for  
9 it? So, I mean, it's got to be a balance. That's  
10 my two cents. Thank you.

11 CHAIR THOMAS: Thank you. Thank you.

12 MR. GUSTAFSSON: Next up we have Todd  
13 Levy.

14 MR. LEVY: Todd Levy. I'll keep this  
15 short and sweet. I know we've been here for  
16 awhile --

17 CHAIR THOMAS: Address for the record,  
18 please.

19 MR. LEVY: Address, 730 Bloomer. I'm  
20 an international consultant. I live here. I'm from  
21 here. Just kind of representing some business  
22 interests. My only focus is going to be about the  
23 zoning overlay map. So we ran some preliminary  
24 numbers, there is about 2,300 commercial and  
25 industrial kind of plats in this entire Pontiac.

1 And of that there's 171 parcels in the MMOD. Of  
2 that 20 are too close to buffered uses. 47 are on  
3 lots that you can't work on. That means 54 plats,  
4 that's it. And if you can only have two out of  
5 three on some of these, according to one of your  
6 code sections, you're going to run out of room.

7 Also, you know, there is concern to --  
8 I heard the word "Red-light district". That's not  
9 something I think that the community wants, right?  
10 You know, this is a medicinal use, this isn't  
11 recreational. The State took its place to redo and  
12 actually implement administrative regulations this  
13 year for the first time in ten years, to make sure  
14 we get this under control, right? Kids need  
15 medicine. They're allowed under certain  
16 circumstances. People need their medicine. So,  
17 accessibility is key.

18 I don't know personally from my  
19 experiences in the industry that making a district  
20 like this is going to benefit the community, and  
21 especially when we're going to run out of land.  
22 We're going to run out of space. We don't know how  
23 many of these are even vacant. So I think that  
24 there's going to be some issues going forward and --  
25 and I'll stay out of the rest of this because, you

1 know, the local residents have their say, but all I  
2 have to say is that I think you should rethink this  
3 overlay district and kind of think about opening it  
4 up to the rest of the City. Thank you.

5 MR. GUSTAFSSON: Jamie Webb.

6 MS. WEBB: Good evening, Council. My  
7 name is Jamie Webb. My residential address is 1012  
8 Emerson Avenue. Thank you tonight for giving me the  
9 opportunity to speak, first off. Again, I'm a  
10 Pontiac resident and I'm a businessowner. My father  
11 and mother are both retired from Pontiac PD, back  
12 when that was a thing, and I have a great amount of  
13 love for this City.

14 As a resident and businessowner  
15 looking seriously to expand into Pontiac's market, I  
16 would like to encourage you to expand the zoning to  
17 allow for additional market opportunities and  
18 thereby increase the revenue to the City. I would  
19 like the Board to seriously consider allowing  
20 facilities downtown and in more areas throughout the  
21 City. I believe that doing so would encourage the  
22 foot traffic and thereby increase traffic to other  
23 businesses within the City. Support increased  
24 revenue, property values and support economic  
25 development.

1                   As a Pontiac resident and a  
2                   businessowner that made an informed decision to vote  
3                   for the Jobs for Pontiac ballot initiative, I have  
4                   to say that I feel fairly cheated. The strict  
5                   district of facilities does not encourage the spirit  
6                   of the initiative. The initiative was supposed to  
7                   open up the medical marihuana industry to whomever  
8                   wanted to do business in the City. Not the select  
9                   few who are lucky enough to be located in the  
10                  seemingly arbitrary zones that you guys have  
11                  established. I've seen areas where these facilities  
12                  are allowed to locate and time after time we have  
13                  seen crime go down, property values go up and --  
14                  because operators -- there are no -- none of these  
15                  smash and grabs. These facilities are required to  
16                  be tighter than Fort Knox by law. So I'd like to  
17                  put to rest any concern that anybody has about that.  
18                  These facility owners are very compliant with the  
19                  community --

20                         FROM THE AUDIENCE: Prove it.

21                         FROM THE AUDIENCE: Show me.

22                         MS. WEBB: -- they don't want to risk  
23                         the hundreds of thousands of dollars, sometimes  
24                         millions of dollars that have been invested into  
25                         making their facilities work.

1 MR. FROM THE AUDIENCE: Exactly.

2 MS. WEBB: Everybody is very  
3 compliant, everybody is very willing to work with  
4 the communities that they locate in. Thank you.

5 CHAIR THOMAS: Thank you.

6 MR. GUSTAFSSON: Ms. Carson.

7 MS. CARSON: My name is Yvette Carson,  
8 I live at 491 Franklin Road. And about this  
9 marihuana weed, we don't have a clue how much money  
10 it's going to bring. There's maybe a trillion  
11 dollars of business that's going to come. At the  
12 same time, there hasn't even been laws established  
13 for it to even come here. I've been hearing that  
14 kids that they been smoking weed -- see, I been  
15 traveling the neighborhood for years. If anybody  
16 know Yvette Carson, she's a walker for Pontiac. And  
17 kids have been smoking marijuana, you know,  
18 throughout the years, and they are younger kids.  
19 And yes, and I commend everybody that came to this  
20 podium speaking on the kids, because at the end of  
21 the day they are our benefit. They're the ones  
22 that's going to run the City and help take care of  
23 us.

24 My thing is, there isn't a lawyer here  
25 for the people. You have a lawyer for the Mayor.

1 You have a committee here that accepted this job,  
2 but, I mean, it should have been somebody from --  
3 that live here that actually did went through the  
4 struggle with the emergency manager. It shouldn't  
5 have been just a form of people that made these  
6 decisions on people that -- to bring something here  
7 that are against a group of people that don't have  
8 money. And at the same time you talking about a  
9 TIFA land, which that TIFA probably was going to pay  
10 their business regardless that they do fill out with  
11 that \$300,000, \$5,000 application.

12 What I'm saying, that the people  
13 should have been up there on that Board too, Mayor.  
14 And that when this marihuana -- the marihuana is  
15 already here. Not only the smash and grab, they  
16 said that the police will be able to stop the kids  
17 and run and take blood tests to see if the marijuana  
18 is in their system, if they smell that they're going  
19 to be arrested. You know what I'm saying, marijuana  
20 is -- the money is just not what is consist of this  
21 marijuana, everybody. We if you're going to bring  
22 that marijuana here, protect everyone. You want to  
23 bring it -- you bring the -- you pay the share. You  
24 protect the people.

25 You protect your business, you know

1 what I'm saying, because drugs -- we can't -- we  
2 can't -- we can imagine, you can look at California,  
3 you can look at Detroit, you can't imagine what's  
4 going to happen, you know what I'm saying. It's  
5 going to bring the good, it's going to bring the  
6 bad. It has a -- see the whole picture when it  
7 comes, not just what's going to go in your pocket.  
8 You know what I'm saying? Not what's just -- I  
9 mean, think about what you might be destroying. The  
10 lottery said they was going to take care of our  
11 schools and our schools started going downhill.

12 FROM THE AUDIENCE: That's right.

13 MS. CARSON: So promises is -- it's  
14 not good. I mean, I feel the businesses that was  
15 here that suffered through the emergency manager,  
16 they should have been the first one you went to.  
17 Because they -- they put -- they invested money  
18 here. They didn't walk away. We didn't -- they  
19 have -- they got beat down just like we got beat  
20 down and they still willing to strive and move this  
21 City forward. Until you look in the City -- it's  
22 good for people to come, but at the same time they  
23 come protect what's here. Protect what's in home  
24 (sic). You know, I cannot express what I feel, but  
25 when you -- when you -- I've experienced marijuana.

1 And our schools, our kids, they're -- they're --  
2 them getting educated and their memory is very slow.  
3 You got a generation here that been smoking weeds  
4 and they not educated to teach their kids.

5 CHAIR THOMAS: I'm going to have to  
6 respectfully ask you to kind of wind up, please.

7 MS. CARSON: What I'm saying to  
8 everybody, that marihuana is here, and when you guys  
9 bring it here, please do the right thing. Please.  
10 In Jesus name, please. Thank you.

11 CHAIR THOMAS: Thank you.

12 MR. GUSTAFSSON: Craig Aronoff.

13 MR. ARONOFF: Thank you. Good  
14 evening. My name is Craig Aronoff with Aronoff Law  
15 out of Royal Oak. I represent a number of different  
16 property owners and businessowners that are looking  
17 to do --

18 CHAIR THOMAS: Do you have an address  
19 that you can put forward?

20 MR. ARONOFF: Sure. 520 East 11 Mile  
21 in Royal Oak.

22 You know, first and foremost I want to  
23 remind the room that the Medical Marihuana Act is  
24 the old law in 2008. The legislature created the  
25 Michigan Medical Marihuana Facilities Licensing Act

1 and that's what we're here to talk about. Today,  
2 there are 120 people approved and 79 that were  
3 denied already.

4 My point is, is that it's not just any  
5 operator that might come here into the City, it's  
6 those that are actually allowed to do this by a  
7 state that is scrutinizing everybody and every penny  
8 that they have and what they're willingness and  
9 business probity will be. So before we even start  
10 with who is going to be allowed to do, we have got  
11 to remember the statement of that filter.

12 The second thing is that we had a vote  
13 where it passed by one. Whether it was one or  
14 99 percent, it's still a successful vote and we have  
15 to implement (inaudible) in the spirit of the vote.  
16 And it was intended to allow for 20 property -- or  
17 20 provisioning centers and unlimited other  
18 licenses, and where we restricted it is such that  
19 we're not going to get the benefit of that. Mr.  
20 Levy already mentioned, and I think he did a nice  
21 job citing the numbers, we're pushing people to the  
22 far north and far northwest corners and we're  
23 forgetting about access to patients in the south and  
24 the east and the central district. I mean, we're  
25 basically skipping most of the City.

1                   And so we're going to end up with a  
2 cluster rather than 20 that are spread out and given  
3 the opportunity to have a number of businesses make  
4 their application, pay their fee, go through the  
5 process, prove their ware, earn their points with  
6 you. And in doing so they're going to offer  
7 community benefits programs, they're going to offer  
8 re-incentive, reinvestment, they're going to be  
9 building off facilities and businesses that are  
10 otherwise not prospering right now. We have empty  
11 Rite-Aids, as the gentleman said. What good is  
12 that? If we can spurn that we're going to get foot  
13 traffic.

14                   And so the point is, I'd like you to  
15 consider amending this zoning ordinance to allow for  
16 the whole city to be involved and then look at it  
17 from a spacing standpoint and look at the merit of  
18 each application and decide for yourself which  
19 operators, those that have had State approval and  
20 those that have shown that they're willing to make  
21 that investment and make the -- and provide jobs.

22                   The other thing about where these  
23 districts are, if you're in the southeast corner of  
24 the City and you need to get transportation to work,  
25 you're nowhere near where these jobs will even offer

1 you that opportunity. You got to go through all of  
2 the traffic and around town. Where these should be  
3 spaced out is where people can have jobs near their  
4 homes as well. And so, again, I think you're  
5 missing the point for the entirety of the City and  
6 you're missing a great opportunity. The State of  
7 Michigan is bringing this in, it's here and the City  
8 has a great opportunity to lead Oakland County. Of  
9 all the counties in the State, you have an  
10 opportunity to lead this county and provide an  
11 opportunity to bring businesses and thrive here and  
12 drive people and business to your city. Thank you.

13 CHAIR THOMAS: Thank you.

14 MR. GUSTAFSSON: That was the last  
15 person that had signed up on the list to speak at  
16 public hearing.

17 CHAIR THOMAS: Do we have anyone else  
18 that would like to speak prior to closing the public  
19 hearing?

20 Okay. Without further ado, public  
21 hearing is closed. So then let me say thank you all  
22 for coming here tonight. These situations are never  
23 easy because as we look out here, I don't know how  
24 many people we have, but there's virtually a  
25 difference of opinion, some polar opposites, some

1 are close, but nobody is in total agreement. So  
2 keeping in mind that -- and Vern, you can -- this  
3 was voted in by residents.

4 MR. GUSTAFSSON: Correct. Well, the  
5 Pontiac Medical Marihuana Facility Ordinance,  
6 correct, Proposal 1 was voted in.

7 CHAIR THOMAS: So, we are here as a  
8 result of the residents voting in favor of this.  
9 Now how we go about handling this is a totally  
10 different issue. But you have to start someplace,  
11 and just for what it's worth before we go to final  
12 discussion with my fellow Commissioners, I've been  
13 in this chair for quite some time, I've heard nearly  
14 400 business cases. And I'm pretty proud of the  
15 fact that we have put in business M-1 Concourse,  
16 repurposed 80 acres of God awful derelict property,  
17 a \$70 million project, and they're now operating.  
18 Ultimate Soccer, which is just down here on another  
19 barren derelict piece of former industrial property,  
20 now operating as the world's largest indoor lacrosse  
21 facility in the world.

22 When we -- when I sat in this chair,  
23 we had the largest footprint of vacant, derelict  
24 industrial properties of any city per capita in the  
25 entire world. Since that time, we have pretty much

1 filled them up. We've also put in business Wessen  
2 Lawn Tennis Club which is in the old what was the  
3 derelict Pontiac water plant off of Wessen near  
4 Bagley. We have repurposed Wisner School, 21 acres,  
5 which is a school, a track, a basketball field  
6 that -- that has been -- that entire parcel has been  
7 repurposed, 21 acres. It had been vacant and  
8 derelict for more than a decade. Pontiac Central  
9 High School had been vacant and derelict for more  
10 than a decade. We heard that proposal and we passed  
11 that proposal as well.

12 And something else that I will  
13 probably take account for is that I took an awful  
14 lot of verbal heat, but this Commission put in place  
15 the original Roadkill Nights as a test case for this  
16 City. And for three years on now and in three  
17 consecutive years they've drawn 30,000 people per  
18 year into the City. And if we had not approved  
19 that, they would have gone to Berkley, Ferndale,  
20 Auburn Hills or someone else.

21 So, I'm very proud that this  
22 Commission has a very strong track record of putting  
23 businesses in business, keeping out businesses that  
24 do not belong here.

25 There are no perfect plans. There are

1 no perfect ways to go about doing business. The  
2 only way to go about doing business is to take a  
3 first step. Studying facts and figures. When M-1  
4 Concourse came in here, they had a traffic flow  
5 pattern. They talked about the number of car owners  
6 in a 15-square mile radius, 60,000 of them. And  
7 that was -- that was the impetus to bring that  
8 project into this City, and there were a lot of  
9 other facts and figures that I won't bore you with  
10 at all.

11 So we have a decision to make. And  
12 the idea is we can either open this up all over the  
13 City, and try to tax the services which are police,  
14 fire, traffic, road, fire, or we can sequester it in  
15 two areas where we can keep things regulated and  
16 controlled, measure and manage it and as we deem fit  
17 we could expand those accordingly. But we can't  
18 take away anything if we populate the City.

19 And by the way, with regard to the  
20 City Center, we can't put this next to churches and  
21 schools, and senior centers and whatever. So it's a  
22 romantic notion to be able to put this anywhere that  
23 you think that you want to, but we can't do that.

24 So we have a decision to make, and I  
25 have offered my comments and my opinions, but this

1 City has worked hard to come up with a proper  
2 proposal, taking a step that nobody has ideas where  
3 this will go. Everyone has got an idea -- and let  
4 me also mention, two and a half years and my career  
5 took me across the U.S. and Asia Pacific. And I've  
6 operated business plans in Hong Kong and in Tokyo  
7 and Melbourne, Australia, and I came back here to  
8 give back to this City. I moved back into my  
9 boyhood home, which two years ago in that  
10 neighborhood you couldn't have given away a house.  
11 We revitalized houses in that neighborhood, we  
12 planted 90 trees where trees used to grow, we  
13 sponsored holiday parties, we've had community  
14 picnics and last summer we had a car show in the  
15 park. So, these -- every project that is romantic  
16 to think about things are going to take off, but  
17 there isn't anything romantic about me trying to  
18 lead a group of all volunteers, and a lot of them  
19 are right here, to pick up the pace and want to save  
20 an entire neighborhood.

21 Now everybody is in here talking about  
22 marijuana and they think that they're going to get a  
23 gold rush. We're here to make sure that this City  
24 grows properly because -- and I'll close on this.  
25 When I came back here there had been 35 years of

1           questionable planning decisions.  And this  
2           committee, this Commission is not going to go down  
3           that path.  We may not be perfect on everything, but  
4           if we hit seven out of ten then we have done our  
5           job.

6                           And I think as I mentioned M-1  
7           Concourse, Ultimate Soccer, Wessen Lawn, Wisner  
8           Pontiac Central, Roadkill Nights and more, so I'll  
9           close it there and I'll turn it to my fellow  
10          commissioner, Commissioner Northcross.

11                           COMMISSIONER NORTHCROSS:  One, I want  
12          to commend everyone that has shown up tonight.  
13          There have been far too many decisions, far too many  
14          items that have been made in the absence of a good  
15          vigorous healthy discussion from the public.  The  
16          decisions -- I'm not saying the decisions were made  
17          excluding folks, I'm just saying that people weren't  
18          participating and often we would have to make  
19          decisions as best we could with the information that  
20          we have in front of us without the input of the  
21          public, so it is good to have it public here.  I'm  
22          glad to see you here.  I'm an advocate of the public  
23          being here.

24                           By the way, I'm also almost a  
25          life-long resident of Pontiac.  I was born in

1 Pontiac, raised in Pontiac. With the exception of a  
2 few years where I worked with another corporation  
3 outside of Pontiac, I've lived in Pontiac and have  
4 raised my children in Pontiac.

5 I'm well aware of many of the  
6 decisions that have been made in Pontiac, both good  
7 and bad. I've also, for some of you who don't know,  
8 for a number of years I sat on the Pontiac School  
9 Board. That was an uplifting and heartbreaking  
10 experience. But, I too believe that the measure of  
11 a city is how well it develops its young people and  
12 the facilities that it puts in place for its young  
13 people. And I have to applaud Pontiac for one,  
14 passing the sinking fund millage for schools. And  
15 secondly, for passing the millage for the  
16 recreational activity center that has now been  
17 opened. I also applaud a lot of the development  
18 that is happening in Pontiac today.

19 In looking at medical marihuana, one,  
20 it's been passed. It was passed by one vote. But  
21 it was passed. Then there also some other  
22 restrictions that were put in place such as coming  
23 up with an ordinance within 60 days. We're all  
24 operating under a very tight timeline, so excuse us  
25 if the communications don't allow for a three- or

1 four-week prior notice. It's just is not there.  
2 This is what was passed. This is what people voted  
3 in by one vote.

4 So, some of these discussions, while  
5 they may seem that we were rushing things through on  
6 purpose to exclude people, that is not the point.  
7 We were rushing, but not to exclude people.

8 Another item. What's going to happen?  
9 What's going to happen with marihuana? What's going  
10 to happen with the dispensaries? One, it's called  
11 medical marihuana, so we certainly want to make sure  
12 that those folks that have the need can get to a  
13 dispensary and at the same time get that -- get that  
14 particular ingredients that they need for their  
15 health and for their comfort and hopefully for their  
16 healing. We also are aware that -- or at least I am  
17 aware and have observed that some folks have blurred  
18 the lines of medical use. I'm not sure if that's  
19 good or bad. I'm not sure if that raises or kills  
20 the item, but I too support that getting -- getting  
21 going with a 60-day timeline, I think there should  
22 be some caution just because of the risk that can  
23 happen if things have unexpected, unintended  
24 consequences happen. So I do support this overlay.

25 And for businesses who have been here

1 for awhile, I don't know, I -- I can't always speak  
2 to what one thought was going to happen or where one  
3 had made investments. My family has had a number of  
4 businesses in the City, you may remember old  
5 Cooley's General Store that was at the corner of  
6 Wessen and Bagley for some of you who go back far  
7 enough, and I think that we have done a number of  
8 things to open up the business climate for a lot of  
9 businesses to prosper.

10 I'm just personally concerned with  
11 some of the unintended consequences that can happen.  
12 So, for that reason and to also meet the  
13 requirements, that the voters by one vote have  
14 approved, I support the overlay concept in the  
15 different areas. And with -- I guess I would also  
16 consider explicitly moving the 100-foot minimum to a  
17 500-foot minimum for -- well, to a 500 -- well, I  
18 would support the 500-foot buffer for religious  
19 organizations, certainly up from 100.

20 FROM THE AUDIENCE: I think that's  
21 only for advertising.

22 COMMISSIONER NORTHCROSS: So, those  
23 are my thoughts. In -- those are my thoughts.  
24 60 days, not a lot of time. The overlay, one of the  
25 first things I looked at in terms of the overlay is

1           what were -- what -- what might be some of the  
2           future changes that would be required or may occur?  
3           Is the overlay even the best way to go?

4                         FROM THE AUDIENCE:   No.

5                         COMMISSIONER NORTHCROSS:   Because  
6           there could be a thought of developing a special --  
7           a special zoning district.   And looking at going  
8           through a special zoning district and the things it  
9           does in terms of other zones around it, and the work  
10          required, and just some of the time that it takes, I  
11          understand what's happening with the overlay  
12          district.   But that's my direction, that's where I'm  
13          going.

14                        CHAIR THOMAS:   Thank you, Commissioner  
15          Northcross.   I'm a little bit remiss here, because  
16          we are going to answer all of those questions.   So  
17          we aggregated the questions, and we're going to  
18          answer them.   And so let us do that.   The City  
19          Planning Manager will do that and then we'll come  
20          back and get last comments from our fellow  
21          Commissioners then we'll go to a motion.   So --

22                        MR. GUSTAFSSON:   If I could, let me  
23          first, Commissioner Northcross, let me just clarify  
24          a couple of items here.   What is required is part of  
25          Proposal 1.   There was distance requirements.   One

1 was 1,000 feet from a private and public school.  
2 500 feet from a playground -- excuse me, a park -- a  
3 city park or playground equipment, a commercial  
4 childcare center that's licensed and registered with  
5 the State, and also 500 feet from a tax exempt  
6 religious institution. What Commissioner Payne was  
7 referring to was the distance from the medical  
8 marihuana business or facility compared to posting  
9 of signage near those businesses as relates to those  
10 businesses. So those are in addition, but we are  
11 following the mandate of Proposal 1. Okay.

12 COMMISSIONER NORTHCROSS: Fantastic.

13 MR. GUSTAFSSON: Let's see. Let me go  
14 through. I'm just going to generally couch a number  
15 of them. Obviously we heard -- and I'll answer  
16 specific questions, questions that I can maybe  
17 answer, questions that I'm not too certain. I'll  
18 probably maybe revert also to the City attorney, Mr.  
19 Chubb, to maybe answer as it relates to the  
20 application process and so forth. But also in  
21 regards to opinions and comments. We heard a lot in  
22 regards to the play on either concentrating or  
23 disbursing. Concentrating in certain areas. There  
24 is concerns there's not enough properties within  
25 those districts and should we be allowing to allow

1 for greater benefit for all businessowners and  
2 property owners to benefit from them by disbursing  
3 those facilities.

4 I guess the question would be is when  
5 we talk about what's best for the community in  
6 regards to those neighbors, by disbursing them we  
7 also increase the presence within those areas. When  
8 we looked at C-0 or C-1 districts, if you look at  
9 the ordinance as relate to the intent of those  
10 districts, we -- they're much more neighborhood  
11 oriented in regards to offices or business services  
12 or commercial uses. They are more geared for those  
13 types of residents that live nearby, compared to  
14 either a C-3, C-4 or a C-2. C-2 being downtown.  
15 Yes, we could look at that, but there was a lot of  
16 discussion and decision as relates to does it maybe  
17 potentially worsen traffic or parking in that -- in  
18 the downtown. Is it changing the character of the  
19 downtown in a way that is a benefit from the current  
20 owners in that area.

21 We also examined, you know, does it  
22 really mesh in regards to the overall vision for  
23 that downtown area. And really, it becomes kind of  
24 an opinion in regards to yes, it's a distance away  
25 from residents, but it's also within an area where

1 you do have businessowners, you do have residents  
2 that live there in those buildings, you do have  
3 businesses that are going to survive and try to  
4 thrive, either without or with medical marihuana.

5 But for right now, in regards to  
6 creating a couple of districts that are earmarked in  
7 the City, it really has become a situation where it  
8 does provide a location and we have to examine it as  
9 it comes in, in regards to applications that are  
10 qualified, that have been approved by the State,  
11 that have been approved by the City of Pontiac, and  
12 as you know, according to the license for --  
13 according to the ordinance that was passed, we're  
14 also looking at scoring them. You know, we have up  
15 to 130 points to score each of the applications. So  
16 it's critical to make those benefits announced in  
17 that application.

18 We talk about -- there was comments in  
19 regards to the community benefit. Those applicants  
20 have to provide a quality community benefit plan and  
21 approach in regards to how it is going to benefit  
22 the community, either through funding or through in  
23 kind or its contributions or its -- you know, in  
24 kind con -- sponsorships for various events in our  
25 community. And that's all part of the process.

1 That's all of the process that would come through  
2 the State, but also for the City of Pontiac.

3 Let's see. Oh, the question came up  
4 in regards to do I know the number of vacant parcels  
5 within those districts that are zoned in those  
6 classifications? I would say I don't have a solid  
7 number. There are few and far between, however,  
8 there is a number of buildings in those -- number of  
9 buildings that are developed on that -- in those  
10 corridors. There is a number of underutilized  
11 property that's located within those corridors that  
12 could be redeveloped. Not just looking at vacant  
13 properties.

14 As it relates to real estate values,  
15 increases in real estate values, increases regarding  
16 insurance, crime rates and the like, I can't  
17 specifically answer that in regards to what values  
18 there would be, I can't say that there will be an  
19 increase or not a decrease. But what I can say is  
20 this is really kind of a social experiment that  
21 we're all trying to live through and trying to  
22 understand, and get their values. I would hope that  
23 the community understands we're doing as best we can  
24 to provide an important role in our community for  
25 those businesses to survive. And it's not maybe

1 dispensing them throughout the community, it's maybe  
2 not just concentrating in a certain area, but it's  
3 the best job in regards to providing a solid  
4 recommendation to allow for these businesses to  
5 flourish.

6           There was talk in regards to that  
7 there was some concerns that our proposal would be a  
8 conflict with State law, and we could see an uptick  
9 in regards to lawsuits. And also conflict in  
10 regards to traffic concerns by congregating or  
11 concentrating the uses. And I would ask the City  
12 attorney, Tony Chubb, to weigh in, in regards to --  
13 from your perspective, in regards to any conflicts  
14 that you've noticed or witnessed in preparing this  
15 ordinance amendment.

16           ATTORNEY CHUBB: Thank you, Vern.  
17 Yeah, so any time that we utilize our authority  
18 under the Michigan Zoning Enabling Act to limit that  
19 which is otherwise allowed by a referendum, you are  
20 likely going to get challenges to it. We have been  
21 very careful to draft this in a manner to ensure  
22 that those are minimized and to ensure that we're,  
23 you know, likely to come out on top of those  
24 challenges, but it's just the nature of -- of  
25 industry and this industry in particular.

1           You know, this is a -- a chance for a  
2 large amount of profit and so it's the nature of the  
3 beast that they will likely make challenges to our  
4 ordinance. And we would defend it in any way that  
5 we would defend any of our other ordinances if  
6 they're challenged.

7           MR. GUSTAFSSON: Thank you, Tony. I  
8 guess that would really -- again, it really comes  
9 down to a lot of conversation, which has been  
10 valuable. It's been valuable in many points, it  
11 kind of reinforces kind of what we have been  
12 hearing. As Commissioner Northcross was talking  
13 about, you know, we have had limited amount of time  
14 to get this out and get it distributed and get it  
15 into the right hands. But to hear comments at the  
16 town hall meetings and district meetings and so  
17 forth, it really comes down to, you know, kind of  
18 almost a 50/50 proposition in regards to either  
19 concentrate it or disburse it.

20           Obviously, from what we're hearing  
21 obviously is the community itself is talking about  
22 potentially concentrating and they have some --  
23 still some concerns over that and obviously on the  
24 business side we're hearing more of the disbursement  
25 of uses into many more districts.

1                   However, I want to just go back to  
2 kind of finally say in regards to what, you know,  
3 before we got into the public hearing was is that we  
4 understand we're trying to provide a location that  
5 would not restrict or prohibit these businessowners  
6 to locate here in Pontiac. And they -- and we  
7 understand that they are and need to -- are allowed  
8 to open for business.

9                   But also we're asking that not just  
10 the business community, but also the residents, that  
11 we have to -- we have to start somewhere. We have  
12 to work where we're at and maybe grow from there.  
13 And also potentially in the future, we could maybe  
14 be looking at other opportunities. Not to say we  
15 will, I just want to say how the overall -- I think  
16 we as community have many, many questions in regards  
17 to how this is going to play out in the future, that  
18 we need to understand that.

19                   And so, from a planning and land use  
20 standpoint, in regards to planning the future of  
21 uses here in the community, I think it's -- it's a  
22 plan that is based upon reality. Some might not  
23 think so, but from our perspective in regards to  
24 what we have achieved and what we have evaluated and  
25 bring in the right people to say is a good start and

1 a solid recommendation in regards to where Pontiac  
2 should be going or considering as it relates to  
3 medical marihuana facilities.

4 CHAIR THOMAS: Thank you. Hopefully  
5 that answered the majority, if not all of the  
6 questions. Yes, Chuck, I'll entertain your  
7 question.

8 MR. JOHNSON: Well, I think that  
9 you're leaving out the business people and the local  
10 contract -- business people like myself. You're  
11 leaving me out by restricting this situation on the  
12 north end of town.

13 CHAIR THOMAS: We haven't taken a vote  
14 yet.

15 MR. JOHNSON: Okay. Well, I  
16 appreciate if we consider the folks on the south  
17 side. Thank you.

18 FROM THE AUDIENCE: No on the red  
19 light district?

20 CHAIR THOMAS: Commissioner Cadd,  
21 please.

22 COMMISSIONER CADD: Thank you.  
23 Throughout the City we have to zone just about  
24 everything. We have residential zone, commercial  
25 zone, C-1, 2, 3, manufacturing 1 and 2 and it's to

1 keep things in certain areas to make things flow  
2 well. We're trying to get an area to start the flow  
3 well. This is kind of like a green space. There's  
4 going to be some variations to it, I'm sure, but we  
5 have to start somewhere and we have a timeline. We  
6 had 60 days to come up with this. We're down to  
7 where we have to come up with a plan and it has to  
8 go to the City Council. I'm in favor of the  
9 overlay. I'm in favor --

10 FROM THE AUDIENCE: No other state has  
11 ever done this --

12 CHAIR THOMAS: Excuse me.

13 FROM THE AUDIENCE: It's not fair.

14 CHAIR THOMAS: No comments while we're  
15 speaking, please. We have already gone through  
16 public hearing.

17 COMMISSIONER CADD: I may not be  
18 speaking perfectly.

19 FROM THE AUDIENCE: You're doing fine.

20 CHAIR THOMAS: It's okay, take your  
21 time.

22 MR. JOHNSON: Take your time, Hazel.

23 COMMISSIONER CADD: We are having  
24 marihuana, which has been legal since '08, which  
25 everybody from experience has had a problem getting

1 it. Now there seems to be some kind of a way to go.  
2 I think the State is moving too slowly on some  
3 things. We are going to vote on recreational  
4 marijuana next week. I think that's going to pass.  
5 It's going to be in the same areas. We're going to  
6 have to have regulation on that as well. I think it  
7 is good to have some regulation, to have a site to  
8 make sure that the marihuana that's grown you're not  
9 getting it off street, you're not getting it with  
10 everybody adding their additives to it, you're  
11 getting good regulation thing for medicines for  
12 people. It's a plant that God-made. I think it's  
13 good. (Inaudible) that we're getting prescribed. I  
14 think it's going to be good for the opoid epidemic.  
15 I think there's a lot of things. There's a lot of  
16 side products.

17 I'm going to go off on a tangent now.  
18 George Washington and Tom Jefferson, our presidents,  
19 that was their largest crop before this was  
20 outlawed. It was changed in 1935 because of  
21 politicians and a guy by the name of William  
22 Randolph Hearst, that they were concerned because  
23 the marihuana industry also was a danger to the  
24 paper industry. It is a harvestable plant. It's  
25 got renewable things every 90 days. It's a weed,

1 but it's got a lot of side products. You've got  
2 medicine, you've got paper. You can protect the  
3 timbers because of it. You can make a lot of other  
4 things. Right now we're just focused on the medical  
5 and recreational.

6 And everybody wants to make a great  
7 deal of money in this, and that's good. We'll be  
8 about the tenth or eleventh state that makes it  
9 recreational. Canada just made the whole country  
10 legal. But as it goes, everything is going to  
11 settle down. It's not going to be that gold mine at  
12 the end of the rainbow, and that's why we have to  
13 think of how we're going to treat it. I personally  
14 think that it's going to keep -- and experience from  
15 the State of Washington shows that it doesn't create  
16 more use of children. It's regulated so it's not.

17 There are some things and we had a  
18 lot -- we had some meetings. And they did put it  
19 out there. They put it out there more than a day or  
20 two beforehand. They had fliers, it was on the  
21 news, it was in the paper. If you showed up, you  
22 showed up; if you didn't, you didn't. It was a good  
23 turnout. I had a hard time getting in there because  
24 the was over capacity.

25 And there's initiation of ordinances.

1 People aren't just going to come and put a  
2 non-refundable \$5,000 payment down without doing  
3 their research and make sure they follow the law.  
4 They know what the rules are. There's a lot of  
5 things involved in this. It's not who has the most  
6 money. It's who does their due diligence and has a  
7 business plan and does it correctly. And I --  
8 that's all I have to say about that.

9 CHAIR THOMAS: Thank you. Mayor  
10 Waterman, please.

11 MAYOR WATERMAN: Thanks, everyone.  
12 There's been quite an in-depth discussion and quite  
13 a diversity of opinion and that has (inaudible) on  
14 the City because we have made an earnest attempt to  
15 get around to the community meetings to talk to  
16 residents, talk to businessowners in a number of  
17 meetings as well as the town hall. And what we're  
18 finding is that there's equally as many people on  
19 one side as the other.

20 So, how do you define that in a way  
21 that suits the needs and the best interests of the  
22 City of Pontiac. And that's what we're trying to  
23 obtain here.

24 So, one of the things that is  
25 problematic for us and we heard is that we had to do

1 this in 60 days, and that's just too short of a time  
2 to come up with a plan that is reasonable and that  
3 works for the City. And we're doing the best we can  
4 in terms of that. But we don't want to go too far  
5 and make mistakes, because those are hard to undo.  
6 We have seen cities who have had to do that. So  
7 we'll get another bite at the apple, because  
8 recreational marijuana is on the ballot and by a lot  
9 of predictions it's going to pass and that could  
10 very well change everything we do. So we'll have to  
11 do it all over again.

12 So we don't want to get so deep into  
13 things that we can't go back and do what's best for  
14 the City of Pontiac. So that should be our best  
15 consideration.

16 But, one thing everybody seems to  
17 agree on is, don't want (inaudible). And the State  
18 law does set buffers, but I think there's nobody  
19 around -- the residents of Pontiac who wants it in  
20 their neighborhood. So that's a universal and we  
21 can base everything else around that. So that's why  
22 some of the district zoning was not going to fit,  
23 because some of them make -- didn't fit within the  
24 buffers. And so that's the thing that people had to  
25 study, the Planning Commission had to map this out,

1 there's a lot of research that went into doing this  
2 and that's what they came up with thus far.

3 So, we'll get another bite at the  
4 apple when recreational marijuana, if it passes, and  
5 also these -- we can always be amended. But we want  
6 to do something that is logical, that makes sense,  
7 that we've studied and that we know that the  
8 residents want. So that was the prevailing  
9 consideration.

10 Now, there was some questions that  
11 Vern may not have answered from what the people  
12 asked from the audience here. One of the things is  
13 that communities who have had time to really shape  
14 this for their best benefit, often have uses in  
15 economic development too. True, it's right, there's  
16 a lot of revenue that comes in, some revenue. But  
17 there's a whole lot of money in this industry,  
18 that's why there's so many people eager about it.  
19 And the question is, how do we keep more of this  
20 money in Pontiac? How do get people jobs? And this  
21 is medical marihuana and marihuana usage I think is  
22 an idea whose time has come. And we know that it  
23 has been -- it would be good if it could resolve  
24 some of the social justice problems that it's caused  
25 in our nation. We know that the sentencing for use

1 of marihuana was four and five times proportionately  
2 more visited to urban and minority people. And one  
3 of the problems we work with as an urban community,  
4 interstate community, is the fact that so many of  
5 our residents have had (inaudible) this and come  
6 back with records that are hard to expunge and hard  
7 to get jobs, and that's one of the realities I deal  
8 with as Mayor in trying to improve the economic  
9 development.

10 So it would be good if somehow one of  
11 the benefits we could find is some way to help to  
12 change this disproportionate social justice that's  
13 visited on our American communities. So that's a  
14 thought in the back of my head.

15 Also, it's good if we can find ways  
16 that the Pontiac residents benefit. And I don't  
17 mind somebody make money, that's what business is.  
18 Nobody is entitled to come into any city and be part  
19 of this gold rush. You know, you're entitled to  
20 have a community that has good business systems that  
21 gives you good code enforcement, but nobody is  
22 entitled to cash in on this. I'm not entitled to  
23 cash in on this. Any resident is not entitled to  
24 cash in on this. So we're doing it in a way that is  
25 best for the City and if you make money, that's

1 great. Good thing about American capitalism, make  
2 money. I would like to see more of Pontiac  
3 residents make some money and I think, you know, it  
4 had to be done so fast that a lot of the residents  
5 and businesses didn't have the chance to figure out  
6 to how to get involved in this, and that's why we  
7 don't need to make such a rush, because it can be  
8 looked at in various.

9 So those are the things of concern to  
10 me as we move on. And I just want to do something  
11 that's good for the City of Pontiac. There's a  
12 difference between the zoning process that we're  
13 doing tonight and the application process. The  
14 application process is something that will allow the  
15 City to put in certain stipulations in terms of  
16 community benefit and other kinds of value to the  
17 City.

18 So, I think also city -- one of the  
19 things we've learned from other cities is how they  
20 use this as an economic development tool for their  
21 cities in addition to the revenue. A lot of people  
22 were aware of what happened in Orion Township.  
23 Orion Township that was (inaudible) about how well  
24 that beautiful (inaudible) they did there. They did  
25 it without referendum. They did it because they had

1 a chance to think it about it and plan it and saw  
2 what they wanted to do. And so they decided to only  
3 allow growers. Only allow growers, and put it just  
4 in vacant industrial property that they wanted to  
5 develop. And that was smart, because now they have  
6 got millions of dollars coming into this area that  
7 they wanted to develop because they were able to  
8 plan it out the way they wanted it.

9 This is what we're attempting to here.  
10 You know, where are the areas that we want to have  
11 economic development the City, and how do you gauge  
12 that. And also, does it help the City coffers in  
13 other ways. The TIFA 2 districts, TIFA 2 and TIFA  
14 District 3, the City has to pay \$1.3 million every  
15 year out of our general fund because those are under  
16 water.

17 So if we can find a way to use the  
18 revenue from this to help so the City doesn't have  
19 to take that 1.3 million out of its budget every  
20 year, and that's a concern for me, then we can use  
21 that money for the things that the residents want.

22 There is a lot of things that go into  
23 this thinking and, you know, we don't -- I think the  
24 group that worked on this, all the City attorneys,  
25 did as good of a job they could do in the 60 days,

1 and nothing is written in stone, it can be amended,  
2 it can be forward in other ways, but we don't want  
3 to make those mistakes that are hard to undo. And a  
4 lot of communities will tell you about how hard it  
5 has been to undo it. I understand there are certain  
6 areas in Detroit a mile west that are trying to go  
7 back and restart the whole process. But we don't  
8 want to good there. We have worked too hard to  
9 build this City and to get to where we are in terms  
10 of changing the economic development plan. So we  
11 want to continue along those lines, and we -- people  
12 who wrote this ordinance visited on us, nobody had  
13 taken ownership for this ordinance that was passed.  
14 Nobody came forward and said, "I'm proud of having  
15 done this" and explained to us why they thought for  
16 a city this size they had maximum everything.  
17 Maximum everything. And if we don't do it the right  
18 way, that could overwhelm us and all of this work  
19 that we've done for economic development can be  
20 undone.

21 So we got to think fast because we got  
22 to do it in the 60 days. The attorney can tell you  
23 what happens if we don't get this done in the  
24 deadline, and 60 days is, you know, just a few days  
25 from now. And given the fact that now November 6th,

1 we will have to vote on recreational marijuana, so  
2 it may change everything we do. From what I  
3 understand, and there's not a lot of understanding  
4 about what recreational marijuana might bring  
5 because the State hasn't really set up any  
6 guidelines, is that all of the places that we're  
7 creating as medical marihuana right now will be  
8 first in line to all become recreational marijuana.  
9 So that's the whole different look.

10 So we just need to think smart, think  
11 wise. I think the Planning Commissioners are going  
12 to consider that. I've listened to everything  
13 people have to say and tried to fit it into a  
14 practice that would benefit the citizens of Pontiac,  
15 the residents of Pontiac and yet bring that kind of  
16 economic vitality to our city.

17 CHAIR THOMAS: Thank you, Mayor.  
18 Commissioner Payne, please.

19 COMMISSIONER PAYNE: Good evening once  
20 again. I have a few questions and a few comments.

21 Well, first of all, my first comment  
22 was is that I was probably about two minutes late.  
23 That was because I turned around and went home  
24 because I decided that I didn't want to come, and  
25 because it's such a difficult decision. But that's

1 the joke, so this is the period where you laugh.

2 In all actuality, this is a topic that  
3 it doesn't matter what my thoughts are in regards to  
4 whether marijuana should be here or shouldn't be  
5 here, because it is here. And I think that's what  
6 has happened, I think in the past it's that we have  
7 kind of like as residents, as businessowners have  
8 kind of somewhere kind of wished it away and some of  
9 us have actually wanted to come. So as a result  
10 from that there's a 50/50 vote -- well, you might as  
11 well say 50/50, but it's really 50/51. Any time you  
12 have a vote like that, someone is going to be  
13 unhappy. And that has been my experience.

14 I'd like to tell you a little story.  
15 I actually worked for a major healthcare facility  
16 for 26 years. In the emergency room, I saw a  
17 young -- very, very -- a youth person that was ten  
18 years of age, that came in because he was  
19 intoxicated. That really saddened with me. I did  
20 find out where the liquor was purchased, and the  
21 hospital of course took their -- to report where it  
22 had been purchased. So, whatever comes within the  
23 City, whether it's alcohol, whether it's marijuana,  
24 what I ask that you respect, the children, respect  
25 the churches, respect the schools, and govern your

1 businesses as if it was your children and your  
2 families and your loved ones. And I think that  
3 that's not a lot to ask, but it's putting yourselves  
4 in a position.

5 Secondly, I'd like to know, how many  
6 businessowners do we have here within the -- okay.  
7 Okay. So, that's quite a bit of businessowners.  
8 And the fortunate or unfortunate thing with this  
9 overlay is that every businessowner is not going to  
10 be able to fit in there, right? And as time go on  
11 there's another proposal that's coming up, it's  
12 Proposal 1. And as the Mayor and others have said,  
13 is that that's going to bring about a big change.  
14 And I really believe that somewhere down the road,  
15 if we're patient, I think every business, every  
16 person who don't have a business, and a person who  
17 would like a business, to start a business in this  
18 field, would certainly have the opportunity, as time  
19 permits, and I would say within the next, what,  
20 three or four, five days after the election, that  
21 this will happen.

22 The other question -- well, one of the  
23 things that I had in here that I'm really, really  
24 sorry that I'm not old enough to actually have been  
25 in the place where they decided to approve liquor

1 license, because I'm wondering what on earth  
2 happened there? You know? Because I remember when  
3 liquor was actually in the fields and it was being  
4 -- it was called, is it coin whiskey or --

5 FROM THE AUDIENCE: Moonshine.

6 COMMISSIONER PAYNE: Moonshine. Thank  
7 you. And so, we're moving to another phase of -- of  
8 life now where now it's the grass that grows, you  
9 know. So, we're no longer cooking and all of that,  
10 but now we're actually planting seeds. So that's, I  
11 think, something to really hold onto and try to  
12 remember, that when we're up here and trying to make  
13 decisions, and it's really unfortunate that everyone  
14 can't be happy, because it's certainly my intent for  
15 you to be happy with whatever decisions that we  
16 make. But unfortunately everyone can't be.

17 One of the things that I would like to  
18 propose -- I guess ask Vern again, is -- is that if  
19 Proposal 1 passes, will that bring about any change  
20 in the overlays that will be presented tonight, do  
21 you know?

22 MR. GUSTAFSSON: Proposal 1 has been  
23 approved.

24 COMMISSIONER PAYNE: I meant the  
25 recreation.

1 MR. GUSTAFSSON: From what I can tell  
2 in regards to -- from a land use and planning  
3 standpoint -- and I'll also ask --

4 COMMISSIONER PAYNE: Right, land use.

5 MR. GUSTAFSSON: -- is somewhat  
6 similar. Basically it's just the -- what the  
7 difference is with regards to who -- the purpose of  
8 it, is it either medical or recreational.

9 COMMISSIONER PAYNE: Okay.

10 MR. GUSTAFSSON: I would like to ask  
11 also Tony Chubb as it relates to what we're  
12 proposing or the medical marihuana versus the  
13 recreational.

14 ATTORNEY CHUBB: Sure. Yeah. I think  
15 that Vern's response is accurate as to the  
16 substantive change, it's just that rather than it  
17 being for a medical need it's also allowed for a  
18 recreational use. But, the licensing for that  
19 recreational use will be provided -- to people that  
20 have medical marihuana facilities licenses will be  
21 provided the first chances at those recreational  
22 licenses. So, it won't necessarily impact the  
23 overlay maps that we have insofar as it did spur  
24 additional interest and we could safely and, you  
25 know, in turn protect the health, safety and welfare

1 of our residents; populate these areas we would just  
2 probably need to think about creating additional  
3 overlays if there was necessary demand.

4 COMMISSIONER PAYNE: Okay. Thank you.  
5 And the question I think for myself and I think the  
6 rest of us here, is that if this passes, then what  
7 are -- what is the outcome is what has been  
8 presented; am I correct?

9 MR. GUSTAFSSON: That is correct.

10 COMMISSIONER PAYNE: Okay. Will there  
11 be any opportunities for amendment to any of the --

12 MR. GUSTAFSSON: Well, your motion  
13 today or tonight will be a motion based on your  
14 recommendation and that will be given to City  
15 Council. They're the one -- you're making a  
16 recommendation. City Council has the right to, at  
17 tomorrow's meeting or subsequent meetings, before  
18 November 12th, has the ability to approve, deny this  
19 zoning text amendment or send it back to the  
20 Planning Commission for reconsideration.

21 COMMISSIONER PAYNE: Okay. And if it  
22 fails?

23 MR. GUSTAFSSON: If it fails tonight?

24 COMMISSIONER PAYNE: Uh-huh.

25 MR. GUSTAFSSON: That recommendation

1 would go to City Council and we have quite a bit of  
2 work to do ahead of us.

3 COMMISSIONER PAYNE: Okay. So there  
4 you have that, you have a second opportunity. We're  
5 not -- it doesn't stop here, okay? So, all that I  
6 ask is that you be patient, and I really and truly  
7 believe that each person in here will have the  
8 opportunity to have the stores that they would like,  
9 and I thank you for your businesses that you've been  
10 here for years and some of you are just starting, so  
11 I thank you your services here. Thank you.

12 CHAIR THOMAS: Vice Chair Fegley,  
13 please.

14 VICE CHAIR FEGLEY: All right. Good  
15 evening. I'm probably one of the few people that  
16 don't agree with the overlays. Any special -- any  
17 special exemption permit that comes in front of us  
18 has to be publicly noted and sent out to anyone in  
19 that area to let them know it's coming in front of  
20 us. Therefore the public, if anything did go in  
21 either the overlay districts or anywhere in Pontiac  
22 for this people in area, the residents in that area  
23 would be let known that that is happening in their  
24 area. And I personally take public comments very  
25 seriously. I enjoy hearing from the public, it

1 really helps me make my decision with whatever I  
2 vote on.

3 I think that with this being new and  
4 coming to Pontiac I don't think we should  
5 necessarily be scared of these businesses coming  
6 into Pontiac, instead I think we should listen to  
7 the petitioners and give them an opportunity to be  
8 able to put their businesses where they feel it best  
9 fits their needs within the City.

10 Right now there's medical marihuana  
11 growers, there's processors, there's the  
12 provisioning centers which are the retail, there's  
13 the safety/compliance facilities and then there's  
14 also the transporters. A lot of these areas are not  
15 going to necessarily interact with the community  
16 around them. They're going to be facilities that  
17 are probably going to be pretty much self-contained  
18 and probably very secure. I don't see a need to  
19 make all of these in concentrated areas in the City  
20 of Pontiac.

21 I agree with everything in the  
22 ordinance, I think it's very well put together, but  
23 I -- like I said, I don't agree with the overlays.  
24 I think anyone who owns property in Pontiac or is  
25 looking to start a business of this sort in Pontiac

1 should have the entire city to pick from and not  
2 just two districts.

3 FROM THE AUDIENCE: Yes, make it  
4 clear.

5 FROM THE AUDIENCE: Listen to the  
6 claps.

7 CHAIR THOMAS: Thank you. And before  
8 we go to a motion, my final -- and I'm grateful that  
9 the City Planning Manager brought forth we are a  
10 recommending body. The City Council makes the final  
11 decision. So they will review what we put in front  
12 of them. What we have in front of us is an overlay  
13 and a zoning ordinance that's been put forth  
14 tonight. So, we either vote it up, or we vote it  
15 down. And as Mr. Gustafsson has mentioned, if this  
16 is voted down, then there's an awful lot of work to  
17 do. So, anyhow, we are --

18 FROM THE AUDIENCE: There's not.

19 VICE CHAIR FEGLEY: We have an  
20 opportunity to --

21 CHAIR THOMAS: So we -- so we are  
22 going to take this to motion here momentarily. And  
23 what's been said here many times tonight is that  
24 this is not the -- this is one -- this is the first  
25 step, and we're stepping with something and this is

1 what we have in front of us. So that's what we will  
2 be making a decision on in just a moment.

3 So without further ado, unless there  
4 are any final comments or questions, Commissioner  
5 Cadd, please.

6 COMMISSIONER CADD: I have a comment.  
7 Starting with the first step, with the overlay  
8 district, that we have had many times where people  
9 have come before us, and I'm thinking of my -- at  
10 the Sav-A-Lot, I'm thinking of Chuck, you with your  
11 businesses you have a lot in that area where --  
12 would they be able to apply for a variance?

13 FROM THE AUDIENCE: No.

14 MR. GUSTAFSSON: No, because the  
15 overlay district does not include those properties  
16 in those areas along Baldwin Road.

17 VICE CHAIR FEGLEY: Are we allowed to  
18 put together a motion that is everything except for  
19 the overlay districts? And instead doing the  
20 Article 2, Chapter 2 with the recommendations of the  
21 grower, processor, provisioning centers, compliance  
22 facilities and secured transporters being allowed  
23 within the districts that are being used that were  
24 recommended with just omitting the overlay district?

25 CHAIR THOMAS: Well, let me answer

1           that.

2                         FROM THE AUDIENCE:    Yes.

3                         CHAIR THOMAS:    We are going to take to  
4 motion what we have in front of us.  If that gets  
5 voted down then -- correct?  Then a separate motion  
6 can be put forth.  But we're going to take the vote  
7 here momentarily, what we have in front of us.  And  
8 if it's -- if everyone likes it, it will vote up.  
9 If they don't like it, it will vote down.

10                        COMMISSIONER PAYNE:   Just one more  
11 question.  Okay.  It's my understanding that the  
12 overlay is basically to try and help the City -- I  
13 mean, I'm just kind of -- this is my interpretation,  
14 of course.  This overlay is basically trying to help  
15 the City that is embarking upon something new to  
16 have a better control so that when we get -- have  
17 the opportunity to roll out the bigger picture than  
18 we are -- we have a better chance of laying --  
19 putting those out into the districts that the  
20 residents and that the businessmen and women have  
21 actually spoke about.  And -- is that my -- that's  
22 my understanding of what this overlay is.

23                        VICE CHAIR FEGLEY:   We're going to  
24 have the same control over what is getting approved  
25 and disapproved regardless of the overlay.

1 FROM THE AUDIENCE: It's unfair.

2 VICE CHAIR FEGLEY: Everything is  
3 going to have --

4 COMMISSIONER PAYNE: I'd like for --

5 CHAIR THOMAS: Yeah, will you  
6 please --

7 MR. GUSTAFSSON: I think what we're  
8 trying to get at here is that you are correct, I  
9 mean, we could -- you know, there could be  
10 possibilities for changes in regards to -- so we  
11 have -- what we established is some -- two select  
12 areas. We don't know how or when we would make any  
13 changes. That's a possibility in the future  
14 depending on what we're seeing that's occurring  
15 right now within those two districts. I would say  
16 that, you know, opening it up in regards to -- I  
17 mean, we have a -- like I said, there's four --  
18 actually there's five commercial districts. Are we  
19 going to consider all of them from C-0 to C-4? We  
20 do have R-2 industrial districts. We do have a R  
21 and D kind of district also. Are we going to  
22 consider those? That has to be played out and  
23 thought about where we can't just subjectively  
24 consider where they should be. I think that what  
25 we're trying to recommend is a good approach that

1 has merit and is a fact that we could get these  
2 businesses up and operating, and then we can see in  
3 the future where we can go.

4 As -- as Tony Chubb has mentioned, the  
5 Proposal 1 that was approved by the voters, we would  
6 have to live with it for 18 months. After that we  
7 could make changes. So maybe within that period of  
8 time there can be changes to our overall medical  
9 marihuana facilities ordinance along with zoning  
10 changes. So that's --

11 COMMISSIONER PAYNE: So in the period  
12 of time where this overlay starts, then we can come  
13 back and look at that and say this isn't working, we  
14 need to re --

15 MR. GUSTAFSSON: Well, it --

16 COMMISSIONER PAYNE: -- look at this  
17 again or --

18 MR. GUSTAFSSON: Possibly. Or it  
19 could be working just fine.

20 FROM THE AUDIENCE: Yeah.

21 COMMISSIONER PAYNE: Exactly.

22 FROM THE AUDIENCE: Doubt it.

23 MR. GUSTAFSSON: We talk about -- when  
24 you talk about disburse -- we understand about  
25 business opportunities, like I said before, and

1 disbursing them out through the entire community.  
2 You know, all of the industrial districts that we  
3 talked about, are located near residential areas,  
4 they are no -- we're talking about protecting  
5 neighborhoods and being good neighbors, but yet we  
6 want to do that. I mean, so there's a lot of  
7 discussion that needs to be made and a lot of  
8 conversation that we'll be able to see as a result  
9 of what we're recommending.

10 COMMISSIONER CADD: This goes before  
11 Council tomorrow?

12 MR. GUSTAFSSON: Yes.

13 CHAIR THOMAS: So once again, our vote  
14 will go before Council tonight.

15 MR. GUSTAFSSON: Your recommendation.

16 CHAIR THOMAS: I'm sorry. What did I  
17 say?

18 MR. GUSTAFSSON: You said "our vote".

19 CHAIR THOMAS: Well, our vote is our  
20 recommendation. So we'll go in front of City  
21 Council. If we vote it in, they will do what they  
22 want to. They don't have to accept it. We are a  
23 recommending body. If we vote it down then they  
24 will deal with that. And again we're dealing with  
25 the timeline here. So we're trying to make the best

1 decision that we can in the time that we have. We  
2 didn't get to write the script. We get to work  
3 with -- we get to work with the realities. So,  
4 anyone else?

5 FROM THE AUDIENCE: Just be fair.

6 Fair realities.

7 COMMISSIONER CADD: I'd like to make a  
8 motion, if I could. For the medical marihuana  
9 ordinance I'd like to make a motion to recommend to  
10 City Council the ordinance to amend the City of  
11 Pontiac zoning ordinance to include medical  
12 marihuana facilities within designated medical  
13 marihuana overlay districts in the City of Pontiac  
14 per the findings contained in the planning manager's  
15 report presented to the Planning Commission on  
16 Monday, October 29th.

17 The ordinance includes revisions to  
18 amend Article 2, Chapter 1, Section 2.101, Table 1,  
19 zoning districts, special purpose zoning districts.  
20 To amend Article 2, Chapter 2, Section 2.203, Table  
21 2, uses permitted by the district. Article 2,  
22 Chapter 5, development standards for specific uses  
23 as amended to add Sections 2.544, 2.545, 2.546, 47  
24 and 48, and Article 3, a special purpose zoning  
25 districts is amended to add Chapter 11, medical

1 marihuana overlay district.

2 CHAIR THOMAS: Thank you very much.  
3 May we have a support.

4 COMMISSIONER NORTHCROSS: Support.

5 CHAIR THOMAS: We have a motion to  
6 support. Any final comments or questions before we  
7 go to vote? City Planning Manager, roll call,  
8 please.

9 MR. GUSTAFSSON: Yes. Commissioner  
10 Cadd?

11 COMMISSIONER CADD: Yes.

12 MR. GUSTAFSSON: Commission  
13 Northcross?

14 COMMISSIONER NORTHCROSS: Yes.

15 MR. GUSTAFSSON: Commissioner Payne?

16 COMMISSIONER PAYNE: Yes, based on  
17 future plans.

18 MR. GUSTAFSSON: Mayor Waterman?

19 MAYOR WATERMAN: Yes.

20 MR. GUSTAFSSON: Vice Chair Fegley?

21 VICE CHAIR FEGLEY: No.

22 MR. GUSTAFSSON: And Chairman Dayne  
23 Thomas?

24 CHAIR THOMAS: Yes.

25 MR. GUSTAFSSON: Vote passes five to

1 one.

2 AYES: Thomas, Payne, Northcross,  
3 Cadd, Waterman

4 NAYS: Fegley

5 ABSTAIN: (None.)

6 MOTION CARRIES 5-1-0

7 CHAIR THOMAS: Thank you very much.

8 Thank you all for coming tonight. Thank you for  
9 your patience and your --

10 COMMISSIONER NORTHCROSS: May I ask  
11 that if you have not voted, and you have any  
12 concerns that you won't make that November 6th, head  
13 to the City Clerk tomorrow and get your absentee  
14 ballot if you have any concerns that you might not  
15 be there. And vote.

16 COMMISSIONER CADD: And for everyone  
17 still interested, the City Council meeting is  
18 tomorrow.

19 FROM THE AUDIENCE: Isn't it at 12  
20 tomorrow, to let everybody know? They changed the  
21 timeline, didn't they?

22 COMMISSIONER CADD: It's at noon  
23 tomorrow.

24 CHAIR THOMAS: Is there any new  
25 business? Excuse us, please, our meeting is still

1 going on. Please give us a little quiet here as we  
2 finish up, please. This shouldn't take long.  
3 You're welcome to stay if you'd like. Thank you.

4 Is there any new business any new  
5 business?

6 MR. GUSTAFSSON: None from the  
7 Planning Division.

8 CHAIR THOMAS: Any unfinished  
9 business?

10 MAYOR WATERMAN: Yes. This get out to  
11 vote (inaudible).

12 CHAIR THOMAS: Thank you, Mayor.  
13 Public comments. Commissioner Northcross, I know  
14 you usually have some items to talk about.

15 COMMISSIONER NORTHCROSS: Vote, vote,  
16 vote, vote, vote, vote, vote, vote, vote. And  
17 again, if you have any question about not being able  
18 to hit the polls on November 6th, go get an absentee  
19 ballot and vote it now. That is a long ballot, a  
20 long, long ballot. A lot of questions. And people  
21 are often saying that they're not asked different  
22 things, but you're asked a lot of things on this  
23 ballot. So go vote. Parents, make sure your  
24 children vote. Grandparents, make sure those  
25 grandchildren who can vote, that they vote. Vote.

1 It's very, very important. Vote.

2 CHAIR THOMAS: Thank you. Agreed.  
3 Any further public comments?

4 COMMISSIONER PAYNE: I just have one  
5 question in regards to the vote, and Commissioner  
6 Fegley asked -- I did not hear her amendment. She  
7 asked if she could make an --

8 VICE CHAIR FEGLEY: The first one  
9 passed so there was no --

10 COMMISSIONER PAYNE: So to make the  
11 second?

12 VICE CHAIR FEGLEY: Yes.

13 COMMISSIONER PAYNE: Okay. Because I  
14 know when I asked we kind of like discussed it and  
15 decided what makes sense and what didn't and --  
16 okay.

17 VICE CHAIR FEGLEY: If the first one  
18 would not have passed I would have had an  
19 opportunity to do that.

20 COMMISSIONER PAYNE: Thank you for  
21 clearing that up.

22 CHAIR THOMAS: Any further public  
23 comments?

24 COMMISSIONER NORTHCROSS: Just for  
25 clarity too, one can always offer an amendment to

1 the motion that's on the floor. If it's seconded  
2 then that starts a round of motions to -- I mean a  
3 round of voting to see if that amendment would be  
4 accepted in the original motion, and if it does then  
5 that original motion is amended and then we would  
6 vote on that. That's one way that it operates under  
7 Robert's Rules of Order.

8 COMMISSIONER PAYNE: And we have done  
9 that before, is consider --

10 COMMISSIONER NORTHCROSS: Yeah, and  
11 that would start a discussion about, you know, that  
12 particular amendment and what it does to the overall  
13 motion.

14 CHAIR THOMAS: Agreed. It was my  
15 thinking, sitting in this chair, that given the  
16 timeline that we have to work with that we needed to  
17 take the vote on the item that we had in front of  
18 us. Otherwise, we would be in a really complicated  
19 position.

20 So any further public comments? If  
21 not, then may I have a motion to adjourn.

22 MAYOR WATERMAN: So moved.

23 CHAIR THOMAS: Second.

24 COMMISSIONER NORTHCROSS: Support.

25 CHAIR THOMAS: Okay. All in favor say

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

"Aye".

(All ayes.)

CHAIR THOMAS: Thank you all for coming. Thank you for your patience.

(All ayes to adjourn at 9:18 a.m.)

Minutes certified by:



-----  
/s/ Quentina Rochelle Snowden, CSR-5519  
QRS Court Reporting, LLC  
800.308.0068  
Certified on: November 25, 2018