

Zoning and Annexation Committee Meeting Minutes
Council Chambers, John Knisely Centre
July 11, 2016

The Zoning and Annexation Committee meeting was called to order at 7:04 p.m. Committee members in attendance were Mr. Darrin Lautenschleger, Mrs. Aimee May, and Mrs. Cheryl Ramos, Committee Chair. The Chair announced that the meeting would be recorded. Guests attending were: Sam Hitchcock (Council President), Dean Holland, Kelly Ricklic, and, Rob Maurer (Council members); Mayor Joel B. Day, Service Director Ron McAbier, Council Clerk Julie Courtright, Safety Director Greg Popham, and Law Director Marvin Fete.

Purpose of the meeting: To discuss an ordinance banning a medical marijuana sales in New Philadelphia including all zoning districts and any other matter to come before the committee.

The motion from June 27th was reviewed. Ordinance 9 – 2016 drafted by the Law Director was discussed.

The Law Director explained that he searched West Law and found that the City of Hamilton was the only municipality at the time to change their zoning code which was basically rewritten. He took at the approach of a typical attorney to solve a problem and that the way he wrote the proposed ordinance was much simpler. The Chair stated that all documentation is available for review and that each council member has this documentation. Also noted that HB 523 gives municipalities authority to restrict or prohibit cultivators, processors, and retail dispensaries from being operated within the corporation limits.

Mr. Lautenschleger felt that the legislation accomplishes what the committee requested of the law director. Mrs. May asked that we are adding cultivators and processors. Research or use can not be prohibited. Discussion ensued concerning the process of the system for medical marijuana and that it would take up to two years and currently medical marijuana must be obtained out of state. Mr. Fete explained that currently medical marijuana is legal in the state of Ohio but there is no place to get it here until the system is set up. The State is moving in that direction but has given municipalities authority to restrict or prohibit cultivators, processors, and retail dispensaries. Medical marijuana is federally prohibited, it is a Schedule 1 drug, and will not be available in pharmacies. Congress will have to change the law. Mrs. May noted that the Board of Pharmacy, Department of Commerce will be involved. Mr. Fete confirmed that they will partner with writing the rules but currently you could not walk in to Rite Aid and get medical marijuana unless the Federal law is changed.

Mrs. May asked what would be the benefit to a person who is currently using illegally, to go to the doctor, get their recommendation, get registered as a user, and then paying more money especially since there may not be coverage and they could get it cheaper another way? Discussion ensued about the illegality of the drug on the Federal level and the availability illegally. Mr. Popham explained his

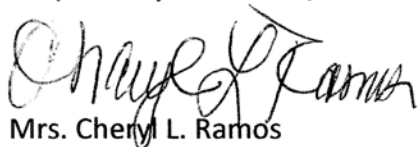
personal feelings that the purpose was for taxation and control. Marijuana is readily available, however they have been told it would never come off schedule I and the banks can't be involved.

The Chair explained that the Ordinance due to being a zoning change would have to be approved by the Planning Commission before being placed on the agenda. The Ordinance would be presented tomorrow to the Planning Commission for their approval. And then there would be three readings including a public hearing.

Mr. Lautenschleger moved that Ordinance 9-2016 be added to the agenda at the next regularly scheduled council meeting and be approved. Mrs. May would recommend sending it to full council for consideration but not for approval. Mr. Lautenschleger amended his motion to state that Ordinance 9-2016 be added to the agenda for July 25th for a first reading and a vote to be taken not prior to the 3rd reading. Motion seconded by Mrs. Aimee May. All voted in favor, motion passed.

As there was no other business to come before the committee, Mr. Lautenschleger moved to adjourn the meeting at 7:17 p.m.

Respectfully submitted,



Mrs. Cheryl L. Ramos

Chairwoman

Zoning and Annexation Committee