

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

January 11, 2024

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, January 11, 2024 at 5:50 p.m.***

Present: Planning Commission Members: Gregory McDonald, Chairman; Brian David, Michael Polo, Kim Veris and Terry Toth; Mayor Thomas Perciak; City Council Representative James Kaminski; Administration: Assistant Law Director, Daniel Kolick; Assistant City Engineer, Lori Daley.

The following was discussed:

ORDINANCE NO. 2024-005: Mr. Kolick stated that the State of Ohio by a way of a vote in November passed a recreational marijuana law and that statute permits cities to opt out of the retail sale of recreational marijuana. This ordinance would allow us to opt out; however, we cannot prohibit homegrown marijuana, allowing it to come in and people using marijuana. We can prohibit it from being sold, which would attract people here to buy it and that is what this ordinance does it would prohibit the sale, or leasing to someone to sell recreational marijuana and Council is looking for a recommendation from this Commission. Mr. McDonald stated I was surprised that this was legal and that we could actually do that. Mr. Kolick responded the statute that was enacted by the voters permitted the legislative authority of the cities to opt out if they so requested. Mayor Perciak stated the Law Director and the Assistant Law Director both had extensive conversations with our Police Department, Police Chief and with everyone involved with safety and law enforcement in this City. You never want to be the first one as far as selling marijuana because of the minimal revenue you receive from it, the aggravation for the safety forces will far exceed anything that comes in, also this is a community that is not ready for this. Mr. Kaminski stated we do not currently have any restrictions on this right now so, they literally could start popping up on every corner and we would not be able to restrict it at all. Unlike the sell of liquor, where you have to obtain liquor licenses and more regulations are built into it. Mr. McDonald stated this reminds me of the GIA discussion that we had about 15 years ago regarding adult entertainment, where you can not prohibit it in your town but we gave it a zoning and declared certain properties okay for adult entertainment. Mr. Kolick explained the other thing is that this was passed as a law and not a constitutional amendment so, the legislature is already talking about changing the taxing scheme and giving municipalities less than what the law permitted us to receive for any municipality that would have the sale of this within their municipality. We do not know where this will end up because they keep going back and forth looking at changes in the law that was just passed by the voters.

The meeting was called to order at 6:00 PM by the Chairman, Mr. McDonald.

Roll Call:

Members Present:

Mr. McDonald
Mr. David
Mr. Veris
Mr. Kaminski
Mr. Toth
Mr. Polo
Mayor Perciak

Also Present:

Mrs. Daley, Asst. Engineer
Mrs. Anderson, Recording Sec.

APPROVAL OF MINUTES

Mr. McDonald – You have had a chance to review the minutes of November 30, 2023. If there are no additions or corrections they will stand as submitted.

OATH OF OFFICE:

Mayor Perciak issued the Oath of Office for Mr. Terry Toth.

ELECTION OF OFFICERS:

Mr. McDonald – I would like to open up the nominations for the annual Election of Officers.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to nominate **Gregory McDonald** for Chairman for the Planning Commission for the year 2024 and also request that the nominations for Chairman be closed and that this individual be unanimously elected.

Mr. Veris – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

Mr. McDonald – Now I would like to open the nominations for Vice Chairman.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to nominate **Michael Polo** for Vice Chairman for the Planning Commission for the year 2024 and also request that the nominations for Vice Chairman be closed and that this individual be unanimously elected.

Mr. Veris – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

REFERRALS FROM COUNCIL:

ORDINANCE 2024-005:

An Ordinance Enacting a New Chapter 841 “Recreational Marijuana” of Title Two of Part Eight-Business Regulation and Taxation Code of the Codified Ordinances of the City of Strongsville Concerning the Sale of Recreational Marijuana, and Declaring an Emergency.

Mr. McDonald – Mr. Kolick.

Mr. Kolick – As you are aware, last November we passed in the State of Ohio the use of recreational marijuana, within the entire State. That law permitted us to opt out of retail sales within the City. This ordinance would permit us to opt out of the sale so they could not issue any licenses for retail sales within the City, it would prohibit the leasing of any land to anyone to use, and it also prohibits the use of the City right-of-ways for the sale or distribution of marijuana. We cannot prohibit homegrown marijuana, which they are still permitted up to 6 plants for each adult individual in the home, up to 12 plants per household and we cannot prohibit the use of it except in municipal buildings and on our property. This ordinance will allow us to opt out of the retail sales within the City.

The only downside is the tax dollars that we lose and as I stated in caucus, the State Legislature is playing around with that and are talking about putting more of those dollars to the State Legislature and less to the municipalities that have retail sales. We are looking for a recommendation to City Council.

Mr. McDonald – Thank you, Mr. Kolick. Are there any questions from the Members? Ordinance No. 2024-005. An Ordinance Enacting a New Chapter 841 “Recreational Marijuana” of Title Two of Part Eight-Business Regulation and Taxation Code of the Codified Ordinances of the City of Strongsville Concerning the Sale of Recreational Marijuana, and Declaring an Emergency.

Mr. David– Mr. Chairman.

Mr. McDonald– Mr. David.

Mr. David – I move to give favorable consideration for Ordinance No. 2024-005.

Mr. Veris – Second.

Mr. McDonald– Secretary please call the roll.

Roll Called

All Ayes

APPROVED

Mayor Perciak – I received a phone call this morning from Mr. David and an email requesting to step down from the Planning Commission within the next few months. I want to thank Mr. David for giving us 10 years of service and for his sacrifice of time.

Mr. David – Mayor, I am at your disposal as far as time goes. It has been my pleasure to serve on this Commission. Thank you to the Mayor and everyone on the Commission.

Mr. McDonald - Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Gregory McDonald, Chairman

Mitzi Anderson, Recording Secretary

Approved