

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
JULY 28, 2022

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

I. CALL TO ORDER:

The Mayor called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m. July 28, 2022.

II. ROLL CALL:

Acting City Manager John Szymanski conducted roll call. The following members were present: Valerie Kindle, Vivian Sawicki, Ivery Toussant, Timothy O'Linn and Harry Kalogerakos.

Absent: Robert Carter, Pastor D.L. Harville and Cherie Jackson.

III. NEW BUSINESS:

- a) Introduction and Purpose of Sub-Committee
- b) Election of Chair/Vice-Chair/Secretary for 2022

Motion by Sawicki:                      Supported by Toussant:

To elect Valerie Kindle as Chair; John Szymanski as Vice Chair; and Cherie Jackson as Secretary.

MOTION CARRIED

IV. CALL TO COMMITTEE:

Items discussed were a possible trip to procurement centers and/or dispensaries, rules of operation and the importance of the distance of such facilities and setbacks from schools and churches.

V. CALL TO PUBLIC:

A resident commented that she doesn't want our City to look like 8 Mile Road.

Kristy Kelly thanked everyone for having this meeting tonight.

JULY 28, 2022

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VI. NEXT MEETING:

The next meeting is scheduled for August 15, 2022

VII. ADJOURNMENT:

Motion by Valerie Kindle: Supported by Tim O'linn:  
to adjourn the meeting at 6:30 pm

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
AUGUST 15, 2022

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

I. CALL TO ORDER:

The Mayor called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m. August 15, 2022.

II. ROLL CALL:

Acting City Manager John Szymanski conducted roll call. The following members were present: Valerie Kindle, Vivian Sawicki, Ivery Toussant, Jr., Timothy O'Linn, Robert Carter and Harry Kalogerakos.

Absent: Pastor D.L. Harville and Cherie Jackson.

III. NEW BUSINESS:

- a) Discussion - Ordinance Governing Cannabis

IV. CALL TO COMMITTEE:

Items discussed were creating an ordinance for Harper Woods that fits the community and avoids any potential lawsuits.

V. CALL TO PUBLIC:

Kristy Kelly commented on posting the meeting dates.

VI. NEXT MEETING:

To be determined

VII. ADJOURNMENT:

Motion by Valerie Kindle: Supported by Tim O'linn:  
to adjourn the meeting at 6:45 pm

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
JANUARY 26, 2023

Location: 19617 Harper Avenue, Harper Woods, MI - Conference Room

I. CALL TO ORDER:

Acting City Manager Szymanski called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m. January 26, 2023.

II. ROLL CALL:

City Clerk Frank conducted roll call. The following members were present:

Mayor Valerie Kindle	Harry Kalogerakos
Councilmember Ivery Toussant	Tim O'linn
Councilmember Vivian Sawicki	Cherie Jackson

Absent: Member(s) Robert Carter and D. L. Harville.

Also Present: Acting City Manager John Szymanski and City Clerk Leslie M. Frank

III. APPROVAL OF MINUTES:

MOTION by Szymanski, SUPPORTED by Kindle:  
To approve the minutes of the August 15, 2022 meeting as written.

MOTION CARRIED

IV. OPEN ISSUES:

V. NEW BUSINESS: Handout discussion

MOTION by Szymanski, SUPPORTED by Toussant:  
to only allow cannabis facilities on Harper Avenue, Kelly Road and/or Vernier Road.

MOTION CARRIED

VI. CALL TO COMMITTEE:

Several topics were discussed, including creating an ordinance that will keep major lawsuits from materializing, determining which type of facility(s) the City will allow, and

lastly requesting to have our Planning Consultant present at the next meeting to assist in coordinating zoning areas for a cannabis facility(s).

VII. CALL TO PUBLIC:

Mr. Whitland spoke on his experiences in the cannabis field and commented that he developed a guide on how to establish a cannabis operation for communities. He offered his information for anyone who had questions.

Ms. Crane introduced herself and asked where the current recreation ordinance could be found.

A business owner introduced himself, stating he has several properties in Harper Woods and is interested in having a cannabis business here.

VIII. NEXT MEETING:

It was determined to meet every two weeks if possible. The next meeting will be Thursday, February 9 at 6:00 p.m.

IX. ADJOURNMENT:

MOTION by Szymanski, SUPPORTED by Sawicki:  
to adjourn the meeting at 7:12 p.m.

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
February 9, 2023

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Acting City Manager Szymanski called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m. February 9, 2023.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Councilmember Vivian Sawicki	Harry Kalogerakos
Councilmember Ivery Toussant	Tim O'linn
Cherie Jackson	

Absent: Mayor Kindle, Robert Carter

Also Present: Acting City Manager John Szymanski, City Clerk Leslie Frank and Director of Public Safety Jason Hammerle

APPROVAL OF MINUTES

MOTION by Sawicki, SUPPORTED by Toussant:  
To approve the minutes of the January 26, 2023 meeting as written.

MOTION CARRIED

DISCUSSION OF POTENTIAL CHANGES IN ZONING AREAS

Paul Urbiel, representative from McKenna Associates provided an overview of the City's current zoning, shared the Land Use Map that is in the current Master Plan. The land use map shows 1000 ft. and 500 ft. buffered areas from schools and churches, which can be used to determine areas for cannabis businesses in the future. Under the current zoning ordinance, there are no areas that are zoned for this type of use. Also discussed was the possibility of an overlay district which would allow certain conditions to be changed in a specific zoning area.

DISCUSSION ON TYPES OF CANNABIS BUSINESSES

The various types of cannabis businesses were discussed and a consensus was determined that no micro-grow operations would be allowed and no areas for consumption would be allowed.

REVIEW OF CURRENT RECREATIONAL MARIJUANA  
ESTABLISHMENTS ORDINANCE

The members asked that this be discussed at a later time when the City's attorney can be present.

VACANT SEATS ON SUB-COMMITTEE

The acting City Manager announced that there is a vacancy as Rev. Harville has resigned his seat and that Mr. Carter wishes to remain on this sub-committee and hopes he will soon be recovered from surgery to attend.

CALL TO COMMITTEE

No comments were made.

CALL TO PUBLIC

Mr. Davish, a Kelly Road business man introduced himself and offered assistance to the City during this process.

Ms. Lufty, who currently has a cannabis business in Southfield shared that she is available to assist as well and is looking forward to possibly having a business in Harper Woods.

Mr. Kim, a realtor in the cannabis business shared his opinion on the cannabis industry, stating that Harper Woods will likely only receive applications for dispensaries and not any of the other types of businesses.

Mr. Eustif, current Harper Woods business owner offered to be on the subcommittee and assist the City through this process.

NEXT MEETING

The next meeting has been scheduled for March 2, 2023 at 6:00 p.m.

ADJOURNMENT

MOTION by: Toussant, SUPPORTED by O'Linn

That the agenda of this meeting having been acted upon, the meeting is hereby adjourned at 7:20 p.m.

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank



CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
MARCH 2, 2023

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Mayor Kindle called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m. March 2, 2023.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Mayor Valerie Kindle	Harry Kalogerakos (6:05)
Councilmember Ivery Toussant	Tim O'linn
Councilmember Vivian Sawicki	Cherie Jackson

Absent: Carter, Kalogerakos and Szymanski

Also Present: City Clerk Leslie Frank, Director of Public Safety Jason Hammerle and Planning Consultant Paul Urbiel.

APPROVAL OF MINUTES

MOTION by Toussant, SUPPORTED by Sawicki:  
To approve the minutes of the February 9, 2023 meeting as written.

ABSENT: Carter, Kalogerakos and Szymanski

MOTION CARRIED

NEW BUSINESS - ZONING - BUFFER ANALYSIS/STRATEGIES

MOTION by Toussant, SUPPORTED by O'Linn:  
To direct the City Attorney to prepare a draft Licensing Ordinance and a Zoning Ordinance incorporating the following factors as illustrated on Scenario 2 of the Protected Use Buffer Analysis prepared by McKenna Associates that provides for a buffer of 1500' between each cannabis facility and retail only establishments.

ABSENT: Carter and Szymanski

MOTION CARRIED

CALL TO COMMITTEE

None

CALL TO PUBLIC

Paul Lutfy introduced himself as currently in the cannabis business with a medical, retail location and commented that the subcommittee should consider limiting more areas with churches in mind.

Richard Eustif commented that while the State isn't accepting applications for grow operations, they are accepting them for processing facilities, not just retail businesses. He then provided explanation of how this type of processing facility works and that there is no smell associated with it.

Carol Koeplin asked for clarification on the proposed draft ordinance and if it essentially allows for 4 retail locations on Kelly and 2 on Harper.

Larry Hakim commented that churches are usually the ones with the most 'blowback' when it comes to cannabis facilities being too close and asked if we had close relationships with the Harper Woods churches to open dialogue on this issue.

NEXT MEETING

The next meeting has not been scheduled due to the need of time for the City Attorney to prepare the requested documents for the subcommittee's review. Check the City's website for future meeting dates. [www.harperwoodscity.org](http://www.harperwoodscity.org)

ADJOURNMENT

MOTION by Toussant, SUPPORTED by O'Linn:

That the agenda of this meeting having been acted upon, the meeting is hereby adjourned at 7:13 p.m.

ABSENT: Carter and Szymanski

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
APRIL 20, 2023

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Mayor Kindle called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:05 p.m. April 20, 2023.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Mayor Valerie Kindle	Cherie Jackson
Councilmember Ivery Toussant	Tim O'linn
Councilmember Vivian Sawicki	Harry Kalogerakos
Acting City Manager John Szymanski	

Absent: Robert Carter

Also Present: City Attorney Sharon DeWaele, City Clerk Leslie Frank and Director of Public Safety Jason Hammerle.

APPROVAL OF MINUTES

MOTION by Sawicki, SUPPORTED by Szymanski:  
To approve the minutes of the March 2, 2023 meeting as written.

ABSENT: Carter

MOTION CARRIED

DISCUSSION - DRAFT REGULATORY ORDINANCE

City Attorney DeWaele gave an overview of the draft Regulatory ordinance and answered questions. She also commented that the zoning ordinance portion of the agenda will be

discussed at the next meeting, with Planning Consultant, Paul Urbiel being present for questions. Items discussed were fines and late fees, the selection process and permitting.

CALL TO COMMITTEE

None.

CALL TO PUBLIC

A resident asked if any consideration would be made to choose a woman or minority owned business first, or would the selection process be in another manner. She also asked what the city would allow for building colors and signage. (The City would follow the current design standards and current ordinances.)

Mr. Lutfy shared that he is currently a property and business owner in the City and commented on his experience with getting a cannabis business started. He further stated that the City and Planning have the ability to regulate this industry in Harper Woods with zoning and ordinance regulations.

Mr. Lytwyn shared his experiences as a business owner and that the cannabis industry is very litigious. He commented that as long as the city maintains specific requirements with regard to zoning and planning to determine locations for businesses there will be little issue as it takes subjectivity out of the picture.

Mr. Hakim stated that it is important to follow the attorney's and the Mayor's lead and also to only focus on the items that we can control as the State has many requirements in place as well. He further stated that we should start accepting applications sooner than later as every application is a check and is non-refundable.

Mr. Eustif shared that he is a property owner here and suggested that encouraging a processing center type business would be beneficial, especially in the smaller buildings on Kelly Road, as they generally have little to no smell, very clean, kitchen like environments and would fit in well there.

NEXT MEETING

The next meeting is scheduled for April 27, 2023 at 6:00 p.m.

ADJOURNMENT

MOTION by Toussant, SUPPORTED by Kalogerakos:  
That the agenda of this meeting having been acted upon, the meeting is hereby adjourned  
at 6:53 p.m.

ABSENT: Carter

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
APRIL 27, 2023

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Mayor Kindle called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:05 p.m. April 27, 2023.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Mayor Valerie Kindle	Cherie Jackson	Robert Carter
Harry Kalogerakos	Acting City Manager John Szymanski	

Absent: Councilmember Vivian Sawicki and Tim O’linn

Also Present: City Attorney Sharon DeWaele, City Clerk Leslie M. Frank, Public Safety Director Jason Hammerle and Mario Ortega from McKenna Associates.

APPROVAL OF MINUTES

MOTION by , SUPPORTED by :

To approve the minutes of the April 20, 2023 meeting as written.

ABSENT: Sawicki and O’Linn

MOTION CARRIED

DISCUSSION - DRAFT ZONING ORDINANCE

Mario Ortega from McKenna Associates provided an overview of the draft ordinance and answered questions. Areas of discussion were the specific zoning amendments for marijuana establishments, which included permitted and prohibited facilities, location, use requirements, and standards for approval.

CALL TO COMMITTEE

Mr. Kalogerakos asked for clarification about what an overlay district is.

Mayor Kindle asked the planning consultant to provide additional maps with the zoning overlay.

CALL TO PUBLIC

Mr. Lytwyn cautioned the obscuring barrier wall condition for marijuana retail locations as the wall does provide privacy for the retailer, it also can provide privacy on the outside of the barrier for a consumer and could cause an issue.

A comment was made regarding the inclusion of Vernier for retailers by adjusting the means of measurement between locations and also lowering the 1000' distance from schools.

NEXT MEETING

The next meeting is scheduled for May 11, 2023 at 6:00 p.m.

ADJOURNMENT

MOTION by Szymanski, SUPPORTED by Toussant:  
That the agenda of this meeting having been acted upon, the meeting is hereby adjourned at 6:53 p.m.

ABSENT: Sawicki and O'Linn

MOTION CARRIED

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
MAY 11, 2023

Location: City Manager's Conference Room, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Mayor Kindle called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Mayor Valerie Kindle	Cherie Jackson	Robert Carter
Councilmember Ivery Toussant	Tim O'linn	
Councilmember Vivian Sawicki	Harry Kalogerakos	
Acting City Manager John Szymanski		

Absent: None

Also Present: City Attorney Sharon DeWaele and City Clerk Leslie Frank

APPROVAL OF MINUTES

MOTION by Toussant, SUPPORTED by Szymanski:  
To approve the minutes of the April 27, 2023 meeting as written

MOTION CARRIED UNANIMOUSLY

DISCUSSION - ZONING ORDINANCE

Mayor Kindle recapped the zoning and overlay map information that was prepared and submitted by McKenna and pointed out that several school buildings weren't listed and suggested the map be updated.

Councilperson Sawicki asked for clarification of what the overlay map shows.

Councilperson Toussant commented about allowing retailers to be open until 10:00 p.m., not 9:00 p.m.

MOTION CARRIED UNANIMOUSLY



CALL TO COMMITTEE

Mr. O'linn asked about medical marijuana facilities and if they were still relevant.

Councilperson Sawicki asked if we were planning to allow medical facilities.

CALL TO PUBLIC

Mr. Eustif commented about the 1500 feet spacing that is proposed between sites.

Mr. Lytwyn also commented about the spacing requirements.

NEXT MEETING

The next meeting is tentatively scheduled for May 25, 2023 at 6:00 p.m.

ADJOURNMENT

MOTION by Toussant, SUPPORTED by Kalogerakos:

That the agenda of this meeting having been acted upon, the meeting is hereby adjourned at 6:41 p.m.

MOTION CARRIED UNANIMOUSLY

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Mayor Valerie Kindle

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City Clerk Leslie M. Frank

CITY OF HARPER WOODS  
CANNABIS SUB-COMMITTEE MEETING  
MINUTES  
JUNE 1, 2023

Location: City Council Chambers, 19617 Harper Avenue, Harper Woods, MI

CALL TO ORDER

Acting City Manager Szymanski called the meeting to order of the regular meeting of the Cannabis Sub-Committee at 6:00 p.m.

ROLL CALL

City Clerk Frank conducted roll call. The following members were present:

Acting City Manager John Szymanski	Cherie Jackson
Councilmember Ivery Toussant	Tim O'linn
Councilmember Vivian Sawicki	Harry Kalogerakos

Absent: Mayor Valerie Kindle and Robert Carter

Also Present: City Attorney Sharon DeWaele, City Clerk Leslie Frank and Public Safety Director Jason Hammerle

APPROVAL OF MINUTES

MOTION by Toussant, SUPPORTED by O'Linn:  
To approve the minutes of the May 11, 2023 meeting as written

ABSENT: Carter and Kindle

MOTION CARRIED

FINAL REVIEW - PROPOSED RECREATIONAL MARIJUANA  
REGULATORY AND ZONING ORDINANCE

MOTION by Sawicki, SUPPORTED by O'Linn:  
to recommend approval of the Marijuana Regulatory Ordinance and the Zoning Ordinance and that they be forwarded to City Council to be placed for introduction and first reading.

ABSENT: Carter and Kindle

MOTION CARRIED

CALL TO COMMITTEE

Councilmember Sawicki asked if a summary could be prepared to be sent to the City Council with the items that weren't specifically addressed by the subcommittee, including the hours of operation for retail locations and the buffers between retail businesses and near schools and day care centers. She also asked if the City Council would see the applications.

Councilmember Toussant asked how many licenses would be available.

Mr. Kalogerakos asked if one or both, regulatory and zoning ordinances were approved and recommended to forward to City Council. (Both, regulatory and zoning.)

CALL TO PUBLIC

A member of the audience commented that she thought there would be more information included in the ordinances for those interested in a retail business.

NEXT MEETING

The next meeting of the subcommittee is to be determined.

ADJOURNMENT

MOTION by Toussant, SUPPORTED by O'Linn:

That the agenda of this meeting having been acted upon, the meeting is hereby adjourned at 6:18 p.m.

ABSENT: Carter and Kindle

MOTION CARRIED

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Acting City Manager John Szymanski

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City Clerk Leslie M. Frank