

**CITY COUNCIL WORK SESSION  
CITY OF WATERTOWN  
June 14, 2021  
7:00 p.m.**

**Mayor Jeffrey M. Smith Presiding**

**Present:** Council Member Ryan J. Henry-Wilkinson  
Council Member Sarah V.C. Pierce  
Council Member Lisa A. Ruggiero  
Council Member Leonard G. Spaziani  
Mayor Jeffrey M. Smith

**Also Present:** Kenneth A. Mix, City Manager

**City staff present:** Michael Lumbis, City Police Chief Charles Donoghue

**DISCUSSION**

**NYS Marijuana Regulations and Taxation Act (MRTA) and City's Options**

Mayor Smith started the presentation by introducing Anita Seefried-Brown from the Alliance for Better Communities and Tammie Miller, Project Director for Healthy Jefferson County.

Ms. Seefried-Brown presented Council with a slideshow (on file in the City Clerk's office) and explained to Council that the Alliance for Better Communities is a drug-free funded community coalition which has stakeholders that invest in the community. She stated that she works very closely with them and explained that together the group sets up the vision and mission for a healthy and safe community for all by reducing underage drinking/substance abuse and addressing any emerging threats. She pointed out that legalization of marijuana does create a threat to these objectives. She then directed Council's attention to the slideshow and discussed at length the objectives the Alliance for Better Communities have set in place. She noted the objectives range from examining the impact of marijuana legalization in Colorado, substance prevention and the impact on youth, the role of stigma as a barrier and what people individually, or as an organization, can do to mitigate stigma. She pointed out some statistics based on the full legalization of marijuana in Colorado which started in 2013. These included: traffic deaths involving drivers that tested positive for marijuana increased 135% while all Colorado traffic deaths increased 24%; youth marijuana use increased by 30%, and there was an increase in suicides in which marijuana was present in the toxicology reports.

Ms. Seefried-Brown informed Council that she spoke to Sheriff Tony Spurlock from Douglas County, Colorado. She summarized their discussion, highlighting that Sheriff Spurlock could not stress enough the impact that legalizing marijuana has put on his county - especially the young people of his community. She drew Council's attention to a map of the United States which highlighted the States that are fully legalized, medical and decriminalized, just medical and fully illegal. She confirmed that there are very few States left that are fully illegal. She discussed at length a 2018 prevention needs assessment of marijuana use in grades 8, 10 and 12, and a 2018 prevention needs assessment of peer disapproval of youth substance use, grades 7-12. She told Council that with the help of law enforcement conducting merchant compliant checks, this has helped dramatically on youths obtaining alcohol outside of their

own home. She highlighted that the local merchants have been fantastic with working with the Alliance regarding underage drinking prevention. She moved on to a presentation on Jefferson County opioid overdoses deaths, 2010-May 2021 stating that this slide by far is the saddest. She pointed out that in 2020, during Covid, there were 34 opioid fatalities. She discussed at length the percentage of deaths in the County and surrounding area. She expressed concern that already in 2021 there have been eight fatalities. Summarizing the percentage of overdoses and deaths, she stated how out of control this problem is in our area.

Ms. Seefried-Brown ended the slideshow presentation by discussing the impact of stigma and how stigma can prevent access to treatment, allow a chronic disease to go undetected, lead to mortality and disability, pain and suffering, poor mental health, unemployment and homelessness, and an increase in the transmission of HIV and Hepatitis C. She recommended that the conversation and language regarding addiction be changed. She hopes that people in recovery will share their stories and stress that recovery is attainable.

Ms. Miller shared with Council that she had just completed surveys with groups across Jefferson County and she invited Council to attend the meeting on Tuesday June 15<sup>th</sup> at 2pm with the Alliance. She pointed out that some of the most interesting things that came out of the surveys were that the focus groups were from 7<sup>th</sup> to 12<sup>th</sup> grades and the general consensus was that the youths all believe that marijuana is calming and if they are suffering from anxiety or depression, it will make them better. She said that when the groups were asked how they are feeling as the pandemic is coming to an end; the general consensus was they feel anxious and depressed. She expressed concern that after meeting with the youths, there will be a large spike in youths using marijuana due to the possibility of marijuana becoming more attainable and she stressed the importance of educating youths about marijuana.

Council Member Ruggerio told Council that she was fortunate to have sat in on the call with Sheriff Spurlock and expressed concern that the warnings Sheriff Spurlock presented will most likely have the same effect here. She noted that he said the crime rate and violence did increase. She highlighted that he said house fires also increased. She pointed out that Sheriff Spurlock also said there are K-9 dogs they can no longer use because they were trained to sniff out marijuana. She thanked the Alliance for a wonderful presentation and for all they are doing for the community.

Council Member Pierce thanked Ms. Seifried-Brown and Ms. Miller for the presentation and the work they are doing.

Mayor Smith thanked the Alliance for all they do and noted that he wished he could attend more of the meetings, but they are held on the days that he has clinics to attend.

### **Marijuana Legalization & Potential Impact**

City Manager Kenneth Mix began the discussion by presenting Council with a handout (available at the City Clerk's office) pointing out the fact that marijuana is now legal in New York State, and nothing is going to change that. He said that marijuana regulation and taxation act does give Council some options.

He explained that Council can opt out of having retail dispensaries or on-site consumption establishments. He explained that cultivators, processors or distributors cannot be outlawed and, if they want to operate in the City, they can. He explained to Council that zoning can regulate where the spots

are set up, noting that the law states that they cannot be within 500 feet of a school or 200 feet from a place of worship. The City also has the right to deny consumption on City property, similar to smoking cigarettes. Mr. Mix then told Council if they want to opt out of the retail dispensaries or on-site consumption establishments, it has to be done through Local Laws which require public hearings and are subject to Permissive Referendum, in which case, a petition can be made and force it into a referendum. He explained and discussed at length the general provisions, conducting the Permissive Referendum and the Local Laws for other municipalities.

Chief Donoghue addressed Council and explained that currently an individual can have up to three ounces of marijuana in public or in their residence. He said that eventually anyone 21 or older will be able to grow up to three mature or immature plants in their home. He summarized the laws and timeframes that will be taking place for growing marijuana in your home. He also discussed at length regulations that will be in place for landlords and renters.

Mr. Mix summarized the taxation aspects which are noted in the handout.

Council Member Henry-Wilkinson asked if it is accurate that the City would be able to spend any monies it receives on whatever Council wants.

Mr. Mix said there are no limitations.

Mayor Smith asked for clarifications on opting out.

Mr. Mix summarized the things that the City can and cannot control, comparing it to a liquor store or a bar.

Council Member Henry-Wilkinson had questions and concerns about what exactly Council can opt out of and the pros and cons for the community, especially the youth, and financially for the City.

Chief Donoghue addressed Council with statistics from Colorado reiterating that the crime rate did go up. He further noted that hospital personnel were being assaulted more due to the fact that marijuana is no longer the mellow drug it used to be and that also increases mental health issues. He pointed out the dispensaries cannot use normal banks since the federal government regulates the banks and, federally, marijuana is still illegal. He went on to say that this, in turn, is making a cash only system which means having cash onsite or in homes which then creates more robberies and issues with street dealers. He expressed concern that the amount of money the City could make would not be worth the possible increase in criminal activity.

Council Member Spaziani said he agrees with the Chief and said it is “a no-brainer” to opt out, noting that once the City opts in, there is no turning back. He wants it known he wants nothing to with it and is concerned about what can happen down the road. He stressed to Chief Donoghue that the Police Department does not have the staff to handle the fall out.

Chief Donoghue agreed with Council Member Spaziani.

Council Member Spaziani commented that it is all about money and that the federal government wants to decrease the menthol in cigarettes because it targets a certain segment of people. He believes marijuana targets a certain segment of people also. He does not think it is a white-collar drug.

Council Member Henry-Wilkinson disagreed, saying he thinks the use of marijuana is the same all across the board. He stated that in New York State, black and brown people were disproportionately arrested.

Council Member Spaziani reiterated it is all about the money and does not support it and wants to opt out.

Mayor Smith said he personally thinks Council should opt out.

Council Member Pierce expressed concern that if they do not opt out, they will not be able to renege later on. She would also like to see what happens with other communities that are in the same situation as the City.

Council Member Ruggiero stated that because of the information that came out of the discussion with Sheriff Spurlock, she supports opting out.

Council Member Henry-Wilkinson said he agrees with the Mayor that \$30,000 is not a lot of money and if the City has to take “the bad” then they may as well get something for it.

Mr. Mix said he will prepare the Local Law which opts out of both retail dispensaries and on-site consumption establishments for City Council to consider.

Work session ended at 8:15 p.m.

*Margaret M. Puccia*  
Deputy City Clerk