

**CITY OF NORWALK
COMMON COUNCIL ORDINANCE COMMITTEE
REGULAR MEETING
SEPTEMBER 20, 2022**

ATTENDANCE: Lisa Shanahan, Chairman; David Heuvelman; Joshua Goldstein; Tom Livingston; Dominique Johnson; Nora Niedzielski-Eichner; Bryan Meek

STAFF: Lamond Daniels; Steve Kleppin;

OTHER: Council Member Jenn McMurrer; Council Member Darlene Young; Rick Bonenfant; Marjorie Madden; Margaret Watt; Lisa Brinton; Nichole; Katherine Snedaker; Diane Cece

CALL TO ORDER

Chairman Shanahan called the meeting to order at 7:02 P.M. There was a quorum present.

ROLL CALL

Chairman Shanahan performed a roll-call of those present.

PUBLIC HEARING

DISCUSS AND VOTE ON CANNABIS ORDINANCE

An e-mail from the public was read for the Committee. The letter noted that people were not remaining home to smoke cannabis and were driving to other locations to smoke it causing air pollution. They noted that, when they requested people to move, they were frequently belligerent and problems were being caused when they requested the smokers to move.

PUBLIC HEARING DISCUSSION

PUBLIC COMMENT

Mr. Bonenfant came forwards to speak. He voiced dissatisfaction with meetings being held on ZOOM and felt it was limiting comments. He also voiced dissatisfaction with the chosen locations for the dispensaries and felt it would have a negative impact on the neighborhoods, especially Westport Avenue.

Ms. Madden came forward to speak. She had heard that there would be public places where people could smoke cannabis. She hoped any money made would go toward maintaining the areas and not come out of the Parks Budget.

Ms. Margaret Watt came forward to speak. She said there had been discussion about having the mayor be the one who designates spaces for public consumption. She felt this was potentially polarizing and

suggested that the designation be handled by a committee of key departments. If not it should have checks and balances. She also suggested that there be higher fines for subsequent offenses and cited a vape shop that had been fined multiple times. She noted there was also a lack of funding for controlling cannabis. She noted there were also illegal advertisements that needed controlling. She also suggested that the ordinance specify where the eventual money should go and specify more about how it's used.

Ms. Nichole came forward to speak. Ms. Nichole said she had concerns about the ordinance especially regarding transparency. She requested that they add a section in the ordinance that this was not a dispensary but was a cash storefront which did not need a medical marijuana card. She voiced concerns regarding the lack of caps on products.

Ms. Brinton came forward to speak. She wished to concur with the prior speakers. She was concerned that the revenue from the sales would not go into the City social programs. She was also concerned that smoking in public spaces would become a nuisance, create quality of life issues, and make administrative problems for the City.

A letter from a Ms. Ginger Cass was read into the record. She voiced her belief that marijuana led her son into drugs that resulted in his death. She wished to advocate for prevention as a result and was not in favor of the recreational stores.

Ms. Snedaker came forward to speak. She noted that one of her children had struggled for years with an addiction to marijuana. She highlighted some of the negative aspects of marijuana. She requested any money gained from the sales be set aside to provide counseling and support for people whose lives have been damaged/destroyed by marijuana. She noted that there were also people smoking in dead-end streets believing that they were not being seen. This would also cause issues with second-hand smoke.

Ms. Cece came forward to speak. She was confused about some of the issues including how the ordinance came to be. She wished to know why Norwalk was pursuing the sale of marijuana especially since neighboring communities have chosen to not do so. She also voiced concerns over where people could smoke it within city limits. She suggested that it only be permitted within the users home/private property and not in public.

There were no further public comments.

OLD BUSINESS

There was no Old Business to consider at this time.

NEW BUSINESS

DISCUSSION ITEM

Mr. Goldstein came forward to speak. He reviewed the history of the ordinance for the Committee. He noted it was based on State law. He reviewed the details of the State law for those present. This ordinance is the result of a months-long planning process with large amounts of communications involved. This is the first part of a two-part plan. The Ordinance Committee has made sure that any

definitions in the ordinance mirrored those set by the State as closely as possible. He reviewed the legality of sale and purchase of cannabis and cannabis products. He noted that the State law also did not regulate public consumption. As such it was important to try and pass the restrictions to alleviate some of the issue and allow the police to act. He noted that the City needed to put in at least one designated spot for public consumption. He noted that not everyone had private property to smoke at home. He went into detail regarding where the ordinance said people could smoke cannabis as well as the penalties for violating the ordinance. He also reviewed the details of the Norwalk Cannabis Account for the Committee. He noted that the State had attached strings to the use of the municipal tax funds. There are six purposes where they are required to spend the funds.

- Youth Employment Programs
- Mental Health and Addiction Services
- Services to people who are formerly incarcerated.
- Streetscape and Community Improvements
- Youth Service Bureaus and Juvenile Review Boards
- Community Civic Engagement Efforts

He noted that they were curtailed in how the funds were spent. He noted that there was also a reporting requirement from the Chief of Community Services.

Mr. Daniels came forward to discuss this item. He wished to provide a Public Health overview. A review of the Public Health Organization's involvement followed. He noted that suggestions had been made which were articulated throughout the draft ordinance; which he reviewed. They are active in the Norwalk Partnership Marijuana Vapor Subcommittee. Mr. Goldstein clarified some of the details regarding the restrictions. Mr. Daniels said that he felt this was a very unique opportunity. They did not know what the funds would be like but wanted to ensure a system was in place to handle them. This was also an opportunity to collaborate with their partners. Further discussion followed. He went into detail regarding how the programs and systems would impact the communities and felt they had a good relationship with the communities in question.

Mr. Kleppin came forward to discuss this item. He reviewed how Planning & Zoning was planning to handle the new ordinance. He pointed out that their job was to decide where the sale of recreational marijuana and the growing of marijuana would be permitted if allowed within the City. They have looked to what other towns have done. Further discussion followed. He noted that, in the original legislation, they were allowed one retail establishment for every 25,000 people in the municipality. This restriction has since been lifted. Further review followed involving the details of the ordinances and properties. The ordinances involving cultivation were also discussed. Mr. Goldstein clarified that tax revenue would come from property taxes and municipal sales taxes. He felt that there were a lot of opportunities that the towns that had not allowed the growing and sale of cannabis were giving up. The ordinance combined with upcoming zoning regulations provides a legislative way to create an opportunity for the City, create new jobs, and bring in a new industry and ensure standards exist for sold cannabis.

Mr. Meek asked to clarify that the vote tonight was to take it to the full Council. Mr. Goldstein confirmed this. Mr. Meek asked if there was any estimate for the revenue. Mr. Goldstein said that the

City did not have projections but the State did for State revenue and the potential anticipated municipal revenue is. He reviewed the details of the projected revenue.

Mr. Livingston asked when the moratorium expired. Mr. Goldstein said he believed it didn't expire until early December. Further discussion followed. Ms. Niedzielski-Eichner noted that this would be a balancing act and they did not desire to over-criminalize or over-correct. She noted that outright prohibition on substances could lead to more harm in the long term. She expected that there would be changes in the future. She also felt that the ordinance would not likely consume more time or resources than enforcing prior marijuana prohibition laws. Further discussion followed regarding Planning & Zoning enforcement and some of the finer details of the ordinance.

Chairman Shanahan wished to remind people that this process has been going on since November 2021. As such it has been in development for some time and is among the forefront of ordinances in the State. Mr. Meek recognized that many hours has gone into crafting the ordinance. He had concerns over potential armed robberies. He did not desire to vote for this and felt it would cause more problems. He felt there were more important matters to address. He felt the potential revenue would not live up to promises. Mr. Goldstein said that even a small amount of income to help other items was worthwhile. He noted that, in regard to sales tax, they were limited on what the money could be spent on. Mr. Livingston provided the cannabis ordinance for review. A review of the provided documentation followed.

**** MR. GOLDSTEIN MOVED TO TAKE THE ORDINANCE AS AMENDED BEFORE THE FULL COMMON COUNCIL FOR VOTING AT THE NEXT MEETING.**

**** THE MOTION PASSED WITH SIX (6) (SHANAHAN, GOLDSTEIN, LIVINGSTON, HEUVELMAN, NEIDZIELSKI-EICHNER, JOHNSON) IN FAVOR AND ONE (1) (MEEK) OPPOSED.**

PUBLIC COMMENT

Ms. Madden came forward for Public Comment. She felt it was disturbing that they could come back and change the three establishments limitation for possibly more. She felt the residents of Norwalk would find this unacceptable.

There were no further Public Comments at this time.

ACCEPTANCE OF MINUTES

JULY 19, 2022 – REGULAR MEETING OF THE ORDINANCE COMMITTEE

**** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES OF JULY 19, 2022 AS AMENDED.**

Please make the following changes:

- Correct the spelling of Mr. Meek's first name in all instances and occurrences.
- Page 2, Paragraph 3 change 'she addressed the idea of consumption spaces, noting that it was dangers, and it would be hard to manage.' To 'she addressed the idea of consumption spaces, noting its dangers, and it would be hard to manage.'

- Page 3, Paragraph 3. Change 'On Section 1-9 Mr. Goldstein said section B had been rewritten about the annual solicitation of application funds for account.' To 'On Section 1-9 Mr. Goldstein said section B had been rewritten about the annual solicitation of application for funds from the cannabis account.'
- Page 3, Paragraph 5. Change 'Ms. Johnson said that it felt like the community services committee would leave itself open to people demanding changes.' To 'Ms. Johnson said that it felt like the community services committee would leave itself open to people demanding changes on individual applications as opposed to a set of applications as recommended by the Community Services Chief.'
- Page 3, Paragraph 5. Change 'He said the hope' to 'She said the hope'
- Page 3, Paragraph 7. Change 'Mr. Goldstein said they were required by state law if they allow retail sale to designate a public spot.' To 'Mr. Goldstein said they were required by state law of they allow the regulation of consumption to designate a public spot.'
- Page 4, Paragraph 4. Change 'Ms. Shanahan said they specifically said it was the mayor's discretion so things could move.' To 'Ms. Shanahan said our ordinance specifically said the designation of a smoking area is the mayor's discretion so the place could be moved if there were issues.'
- Page 4, Paragraph 6. Change 'She said it wasn't important to ensure that people,' to 'She said it was important to ensure that people'.
- Page 4, Paragraph 7. Change 'Ms. Shanahan said it was a lot of money for the city and not to take care of it and make sure the funds were dispersed' To 'Ms. Shanahan said there was a lot of revenue available to the City as a result of cannabis sales and to not take advantage of this revenue source'

**** THE MOTION TO APPROVE THE MINUTES AS AMENDED PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:50 P.M.

Respectfully Submitted

Ian A. Soltes

Telesco Secretarial Services