

Minutes of the regular meeting of the City Commission held Monday, June 11, 2018, at 6:30 p.m., in the City Commission Room.

Mayor Lents called the meeting to order and the Pledge of Allegiance was recited.

Commissioners Present: Mayor Lents and Vice Mayor Madaj; Commissioners Gillis, Joseph, Kulick, LaLonde and Ling

Commissioners Absent: None

Others Present: City Manager Ridley, City Clerk Howard and City Attorney Curcio

Proclamations and Presentations

Water Superintendent Jamie Hockemeyer gave a presentation on the City's Water Department.

Public Input on Agenda Items

Fred Cantu, Jr., 7819 Little Elk, spoke in opposition to the ordinance to add a new Chapter 112, "Medical Marihuana Facilities" to Title XI of the Mt. Pleasant City Code.

Matt Mertz, 1540 S. Bamber, spoke in support of the ordinance to add a new Chapter 112, "Medical Marihuana Facilities" to Title XI of the Mt. Pleasant City Code.

Heather Wezensky, 5603 E. Jordan, spoke in support of acceptance of donation from Mt. Pleasant Little League for scoreboards at Pickens field.

Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items.
2. Resignation of Joe Olivieri from the Economic Development Corporation/Brownfield Redevelopment Authority (EDC/BRDA).
3. Parks and Recreation Commission Minutes. (April)
4. Redevelopment Ready Communities Quarterly Report.
5. Communication from Commissioner Tony Kulick.

Moved by Commissioner Kulick and supported by Vice Mayor Madaj to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting of the City Commission held May 29, 2018 with correction to Local Development Finance Authority (LDFA) conceptual development design motion roll call vote.
2. Michigan Department of Transportation (MDOT) Office of Rail resolution authorizing the execution of the maintenance agreement and rail permit for the painting of the High Street Bridge abutments as follows:

WHEREAS, the Mount Pleasant Area Community Foundation (MPACF) desires to beautify the community by painting the abutment walls and adjacent pump house on a railroad bridge in Mt. Pleasant; and

WHEREAS, said railroad bridge is under the jurisdiction of the Michigan Department of Transportation (MDOT) and spans above and across west M20; and

WHEREAS, MDOT requires that the City of Mt. Pleasant enter into an agreement for bridge painting maintenance within state jurisdiction (MDOT Contract No. 18-5292);

NOW, THEREFORE, BE IT RESOLVED, that the mayor and city clerk are hereby authorized to approve all necessary agreements and documents related to the painting work, including MDOT requirements.

3. Resolution accepting the Competitive Grant Assistance Program (CGAP) grant for the Charter Township of Union and City of Mt. Pleasant joint water systems study as follows:

WHEREAS, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$29,349.00 toward reimbursement of expenditures required to implement the Charter Township of Union/City of Mt. Pleasant Joint Water Systems Study, and

WHEREAS, the State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

WHEREAS, the State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

WHEREAS, City of Mt. Pleasant acknowledges that it:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act
2. Has filed its financial plan per the Glenn Steil State Revenue Sharing Act
3. Is not delinquent in making payment that are due on loans issued pursuant to the Emergency Municipal Loan Act
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a CGAP grant-funded project;

NOW, THEREFORE, BE IT RESOLVED THAT the City Commission hereby authorize participation in the Charter Township of Union/City of Mt. Pleasant Joint Water Systems Study and on behalf of the City of Mt. Pleasant authorize City Clerk to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements.

4. Acceptance of donation from Mt. Pleasant Little League for scoreboards at Pickens Field.
5. Warrants dated May 30, June 5 and 7, 2018 and Payrolls dated June 1, 2018 all totaling \$755,861.74.

Motion unanimously adopted.

A public hearing was held on proposed ordinance to amend Section 154.410.B.4.s.iv of the Mt. Pleasant Zoning Ordinances to correct a scrivener's error within the special use standards for rooming dwellings. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Joseph that Ordinance 1036, an Ordinance to amend Section 154.410.B.4.s.iv of the Mt. Pleasant Zoning Ordinances to correct a scrivener's error within the special use standards for rooming dwellings having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Kulick, Joseph, LaLonde, Lents, Ling and Madaj

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held on proposed ordinance to amend Section 154.405.A of the Mt. Pleasant Zoning Ordinances to define "façade area" and to update standards for façade glazing in the CD-3L and CD-3 character districts. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Vice Mayor Madaj and supported by Commissioner Kulick that Ordinance 1037, an Ordinance to amend Section 154.405.A of the Mt. Pleasant Zoning Ordinances to define "façade area" and to update standards for façade glazing in the CD-3L and CD-3 character districts having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Kulick, Joseph, LaLonde, Lents, Ling and Madaj

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Commissioner Joseph and supported by Commissioner LaLonde to approve Ordinance 1038, an ordinance to add a new Chapter 112, "MEDICAL MARIHUANA FACILITIES" to Title XI of the Mt. Pleasant City Code to allow certain facilities to be operated in accordance with state law as proposed.

Moved by Commissioner Gillis and supported by Commissioner Ling to amend the original motion to revise section 112.03 B to allow an applicant to apply for only one license in any one category where there are limits on licenses, regardless of different locations.

AYES: Commissioner Gillis

NAYS: Commissioners Joseph, Kulick, LaLonde, Lents, Ling and Madaj

ABSENT: None

Motion failed.

Moved by Commissioner Gillis and supported by Commissioner Kulick to postpone action on approval of Ordinance 1038 until the City Attorney can draft language that addresses applicants applying for more than one license.

AYES: Commissioners Gillis, Kulick and LaLonde
NAYS: Commissioners Joseph, Lents, Ling and Madaj
ABSENT: None
Motion failed.

Considered original motion to approve Ordinance 1038, an ordinance to add a new Chapter 112, "MEDICAL MARIHUANA FACILITIES" to Title XI of the Mt. Pleasant City Code to allow certain facilities to be operated in accordance with state law as proposed.

AYES: Commissioners Gillis, Joseph, LaLonde, Lents, Ling and Madaj
NAYS: Commissioner Kulick
ABSENT: None
Motion carried.

Moved by Vice Mayor Madaj and supported by Commissioner Joseph to approve Ordinance 1039, an ordinance to add a new subsection 154.410.B.4.p and to amend Table 154.410.A of the Mt. Pleasant Zoning Ordinances to regulate medical marihuana facilities as special uses.

Moved by Commissioner Joseph and supported by Commissioner Gillis to amend the original motion to delete section P.8.2. regarding 500 foot buffer around SD-U District.

AYES: Commissioner Joseph
NAYS: Commissioners Gillis, Kulick, LaLonde, Lents, Ling and Madaj
ABSENT: None
Motion failed.

Moved by Commissioner Gillis and supported by Commissioner LaLonde to amend the original motion to allow for provisioning centers on the north side of Broadway as recommended by the Planning Commission.

AYES: Commissioner Gillis
NAYS: Commissioners Joseph, Kulick, LaLonde, Lents, Ling and Madaj
ABSENT: None
Motion failed.

Considered original motion to approve Ordinance 1039, an ordinance to add a new subsection 154.410.B.4.p and to amend Table 154.410.A of the Mt. Pleasant Zoning Ordinances to regulate medical marihuana facilities as special uses.

AYES: Commissioners Gillis, Joseph, LaLonde, Lents, Ling and Madaj
NAYS: Commissioner Kulick
ABSENT: None
Motion carried.

Moved by Commissioner Ling and supported by Commissioner Kulick to approve Resolution to Provide Specific Guidance for the December 2019 Review of Ordinances Related to Medical Marihuana Facilities.

Moved by Commissioner Kulick and supported by Commissioner Joseph to amend the original motion to add an additional bullet to say: "Any other issues arising out of the administration of the ordinance as raised by staff or commissioners.". Motion unanimously adopted.

Considered the original motion as amended to approve Resolution to Provide Specific Guidance for the December 2019 Review of Ordinances Related to Medical Marihuana Facilities as follows:

WHEREAS between March 2017 and June 2018, numerous discussions, joint meetings, ad-hoc committee meetings, work sessions and public input opportunities were held regarding the City's ability to opt-in for medical marihuana facilities, and

WHEREAS during the June 4 work session of the City Commission much discussion and debate continued about various components of the proposed ordinances, and

WHEREAS the City Commission wanted to ensure specific provisions of the ordinance be evaluated in the required December 2019 of the ordinances.

NOW THEREFORE BE IT RESOLVED, the City Commission outlines the following specific provisions be evaluated and reviewed in 2019

- The number of grow facilities and provisioning center facilities permitted.
- The 500 foot buffer zone around CMU campus and the 1000 foot buffer zone around k-12 schools.
- Whether provisioning centers as a standalone business should be allowed in industrial districts.
- Any other issues arising out of the administration of the ordinance as raised by staff or commissioners.

Motion unanimously adopted.

Announcements on City-Related Issues and New Business

Mayor Lents thanked the Commission and staff for the many hours of work on the MMMFLA and made the following announcements: the Master Plan process is beginning soon and Commissioner Joseph is serving on that committee; June 21, I-Ride dump the pump - free rides all day and tours of the facility; and Thrilling Thursdays starts this week with Yogapalooza.

Commissioner Gillis thanked Joe Olivieri for his service on the EDC/BRDA Board; announced the EDC will be meeting to discuss Parcel B and encouraged the public to join in; and asked that the EDC meeting be added to the City calendar.

Commissioner Ling announced vacancies on boards and commissions and encouraged residents to apply.

Mayor Lents adjourned the meeting at 8:05 p.m. without objection.

Allison Lents, Mayor

Jeremy Howard, City Clerk