

### **CALL TO ORDER**

IN REGULAR SESSION Monday, August 21, 2017 at 7:00 P.M. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI, the Marshall City Council was called to order by Mayor Reed.

### **ROLL CALL**

Roll was called:

Present: Council Members: Caron, Costa, Metzger, Mayor Reed, and Schurig.

Also Present: City Manager Tarkiewicz and Clerk Nelson.

Absent: Council Members McNeil and Williams.

**Moved** Metzger, supported Costa, to excuse the absence of Council Members McNeil and Williams. On a voice vote- **MOTION CARRIED.**

### **INVOCATION/PLEDGE OF ALLEGIANCE**

Council Member Costa gave the invocation and Mayor Reed led the Pledge of Allegiance.

### **APPROVAL OF THE AGENDA**

**Moved** Metzger, supported Schurig, to approve the agenda with the addition of item 9D Event Report – American Vintage Market. On a voice vote – **MOTION CARRIED.**

### **PUBLIC COMMENT ON AGENDA ITEMS**

None.

### **CONSENT AGENDA**

**Moved** Metzger, supported Costa, to approve the Consent Agenda:

- A. Minutes of the City Council Regular Session held on Tuesday, August 8, 2017;
- B. Approve city bills in the amount of \$ 986,474.71.

On a roll call vote – ayes: Caron, Costa, Metzger, Mayor Reed, and Schurig; nays: none. **MOTION CARRIED.**

### **PRESENTATIONS AND RECOGNITION**

None.

### **INFORMATIONAL ITEMS**

City Manager Tarkiewicz provided event reports on the Fly-In Breakfast, Home Tour, Infant Memorial Walk, and the American Vintage Market.

## **PUBLIC HEARINGS & SUBSEQUENT COUNCIL ACTION**

### **A. Michigan Medical Marihuana Facilities Licensing Act Ordinance Amendment:**

City Manager Tarkiewicz provided background regarding the Michigan Medical Marihuana Facilities Licensing Act Ordinance (MMMFLA) that was adopted on June 5, 2017. Since the adoption, staff has received multiple inquiries on locating medical marihuana facilities with four sites being focused on. The current ordinance has a 5,280-foot distance between facilities. If the distance was amended to 2,640 feet, the amended ordinance would allow these four sites.

Mayor Reed opened the public hearing to hear public comment regarding the proposed amendment to the MMMFLA Ordinance.

Dan Stulberg of 508 Orchard Road spoke in favor of the ½ Mile radius. He has been contacted by potential growers that are interested in his family property, so he would benefit from the distance amendment and feels the community would benefit as well.

Jerry Clifton spoke in opposition of the MMMFLA Ordinance and is disheartened by the decision. He inquired to Council how Marshall got involved with the Medical Marihuana decision and feels the public needs to be informed. He asked Council to repeal their decision and adoption of the MMMFLA Ordinance.

Hearing no further comment, the public hearing was closed.

**Moved** Metzger, supported Schurig, to approve the amendment to the Michigan Medical Marihuana Facilities Licensing Act ordinance to amend the distance between facilities from 5,280 feet to 2,640 feet. On a roll call vote – ayes: Costa, Metzger, Mayor Reed, Schurig, and Caron; nays: none. **MOTION CARRIED.**

### **CITY OF MARSHALL ORDINANCE #2017- 06**

AN ORDINANCE TO AMEND CITY OF MARSHALL CODE, MICHIGAN MEDICAL MARIHUANA FACILITIES LICENSING ACT ORDINANCE. THE CITY OF MARSHALL HEREBY ORDAINS:

**Section 1.** That section **Grower, subsection (2)**, is hereby amended to the following:

The facility must not be within 2,640-foot of another grow or processing facility.

**Section 2.** That section **Processor, subsection (3)**, is hereby amended to the following:

The facility must not be within 2,640-foot of another grow or processing facility.

**Section 3.** This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Chronicle*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded

in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

**Section 4.** This Ordinance is declared to be effective immediately upon publication.

Adopted and signed this 21<sup>st</sup> day of August, 2017.

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Jack Reed, MAYOR

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Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on August 21, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available by said Act.

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Trisha Nelson, CITY CLERK

**OLD BUSINESS**

None.

**REPORTS AND RECOMMENDATIONS**

None.

**APPOINTMENTS/ELECTIONS**

**A. Marshall Farmers Market Advisory Board:**

**Moved** Schurig, supported Costa, to approve the reappointment of Lynne Meservey to the Marshall Farmers Market Advisory Board with a term expiring October 20, 2020. On a voice vote – **MOTION CARRIED.**

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

None.

**COUNCIL AND MANAGER COMMUNICATIONS**

**ADJOURNMENT**

The meeting was adjourned at 7:47 p.m.

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Jack Reed, Mayor

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Trisha Nelson, City Clerk