

## Special City Council Meeting

February 5, 2020

The Special City Council Meeting was called to order by Mayor Bronson in the Council Chambers at City Hall at 6:00 p.m.

### Roll Call:

Present: Raab, Bronson, Mallory, Temple and Couture. Johnston arrived at 6:20 p.m.

Absent: None

### Purpose:

- Continued Review and Discussion-Medical Marihuana Ordinance and Zoning Amendment.

### Zoning Ordinance Amendment:

- Councilwoman Raab has reviewed the amended ordinance, as presented by Mayor Bronson, and agrees with all of the changes, specifically the omission of the redundant information already required by the State of Michigan.
- Mayor Bronson inquired if the setback of 500' for churches was appropriate.
- Councilwoman Raab did not have a problem with the setback. She commented that many churches will host substance abuse classes and out of respect the setback at 500' would be appropriate.
- Mayor Pro Tem Couture would like to hear from the public as far as the setback, otherwise he is good with the 500' setback.
- Councilman Mallory is also in agreement with the 500' setback for churches but he discussed the possibility of excluding the B-2 or downtown district because of the Michigan Main St program.
- Public Input:
  - Ms. Suzan Cheli discussed that the deliveries need to be made within an enclosed building and doesn't believe we have any buildings downtown that would fit that need. She also mentioned that she contacted Laura Krizov, Manager of the Michigan Main Street program, who stated that these ordinances would not impact the status of the City in the program.
  - Mr. Greg Klinger discussed the setbacks; he feels that they may be too restrictive with very few properties that fit within the setbacks.
  - Mr. John Stritmatter has been preapproved at the State level for multiple licenses and wants to bring his business headquarters to Cheboygan; he would like to see the downtown district included.
  - Mr. Bradley Forrester spoke as a consumer advocate; he thanked everyone for their hard work and is proud to see the compromise that's taken place.
- City Attorney Stephen Lindsay discussed his concerns with omitting the redundant information requirement in the ordinance. In the event that the State of Michigan is not able to inspect all of the facilities or enforce all of the requirements, the City will not have the ability to enforce any issues through our local ordinances.

- Mayor Pro Tem Couture is still in favor of moving forward with the amended ordinance.
- Councilwoman Raab moved to accept the revision of the zoning amendment as presented by Mayor Bronson and with the exclusion of the hours of operation requirement, seconded by Mayor Pro Tem Couture. A roll call vote was taken, motion carried unanimously.

**Medical Marihuana Ordinance:**

- Mayor Bronson requested feedback regarding the limits set on the number of allowable facilities which is currently set at five per type of facility.
- Mayor Pro Tem Couture mentioned that he is unsure if the number of facilities is something that the City should regulate.
- Mayor Bronson responded that it will be difficult to tell for a few years if the number of allowable facilities will need to be changed.
- Mayor Bronson inquired if Council would want to add an odor control requirement to the ordinance, he does not believe the State of Michigan has any requirements.
- Mayor Pro Tem Couture doesn't feel the odor control requirement is necessary.
- Mayor Bronson inquired about adding requirements for signage.
- City Manager Eustice responded that it can be addressed in the Sign Ordinance however content can be difficult to regulate.
- City Attorney Stephen Lindsay stated that amending the Sign Ordinance after a business is established can be difficult, technically they would be grandfathered in.
- Public Input:
  - Mr. Brad Forrester commented that this ordinance is just a starting point and can be revisited at a later date.
  - Mr. John Stritmatter would advise Council to review the Sign Ordinance.
  - Ms. Suzan Cheli feels that the City should be in control of what's acceptable, not the businesses.
  - Mr. Greg Klinger reported that the State of Michigan is up to date on inspections and has increased staffing to deal with the expected increase in businesses.
- Mayor Pro Tem Couture moved to accept the Medical Marihuana Ordinance as presented by Mayor Bronson.
- City Attorney Stephen Lindsay reported that if section 120.08 is removed from the ordinance as suggested, there will be no minimum operating standards for provisioning centers. He recommends that section 120.08 have similar language as the other minimum operating standards, specifically that the provisioning centers must comply with the Michigan Medical Marihuana Act, the Medical Facilities Licensing Act and the general rules of the Department of Licensing and Regulatory Affairs.
- Mayor Pro Tem rescinded his motion, seconded by Councilwoman Raab.
- Mayor Pro Tem Couture moved to accept the Medical Marihuana Ordinance as presented by Mayor Bronson and also striking section 120.08 A and replacing that language with the minimum standards language similar to section 120.11 A with all references to processors to be replaced with provisioning centers, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

- Councilwoman Raab moved to schedule the Public Hearing for the Zoning Amendment and the Medical Marihuana Ordinance for February 25, 2020, seconded by Councilwoman Johnston, motion carried unanimously.

**Meeting adjourned at 7:27 p.m.**

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Mayor Mark C. Bronson

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Clerk/Treasurer Bridget E. Brown

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Councilman Brett Mallory

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Councilwoman Sara Johnston

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Councilman Vaughn Temple

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Councilwoman Diane Raab

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Mayor Pro Tem Nicholas C. Couture