

Minutes of the electronically conducted regular meeting of the City Commission held Monday, July 26, 2021, at 7:02 p.m.

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

Commissioners Present: Mayor William Joseph and Vice Mayor Amy Perschbacher; Commissioners Mary Alsager, Olivia Cyman, George Ronan and Petro Tolas. All Commissioners present indicated they were in Mt. Pleasant, Isabella County, Michigan except for Commissioner Ronan who indicated he was in Brant Beach, Longbeach Twp, Ocean County, NJ.

Commissioners Absent: Commissioner Lori Gillis

Others Present: City Manager Nancy Ridley and Deputy City Clerk Mary Ann Kornexl

All present attended virtually via Zoom video conference.

Proclamations and Presentations

Introduced recently hired City employees Braxton Gomez, joining City staff as a police officer; Alan Mosher, joining City staff as Parks and Public Spaces I; and Philip Biscorner, as the City's Director of Parks and Public Spaces.

Director Lauria swore in Officer Braxton.

James McBryde President of Middle Michigan Development Corporation (MMDC) gave a quarterly update.

Marc Griffis, Isabella County Emergency Management Director, gave a presentation on Isabella County Central Dispatch proposition for renewal of 9-1-1 surcharge.

Lotherio Agoff gave a presentation on Limitless Outdoors, a non-profit organization with the mission to give outdoor opportunities to people with disabilities. They are looking for assistance and donations for their cause. You can contact LimitlessOutdoors Foundation via email or by phone, LMK1211@aol.com or (989)506-5673 or follow them on facebook.

Public Input on Agenda Items

Summer Skyler Peggie, 5054 Poma Ln, Howell, spoke in support of Casano.

Michael Messina, 170 Moyer Ave, Alma and Micah Focken, 910 E. Chippewa, spoke in support of more recreational marijuana licenses.

Deb Cary, 7434 E. Howard City Edmore Rd., Vestaburg; and Kyle Miller, 416 Jermyn St., Ionia spoke in support of more recreational marijuana licenses without the necessity of a vote of the people.

Rachael Agardy, 415 E. Chippewa, spoke in support of new liquor license policy.

Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items.
2. Second Quarter Investment Report.
3. Airport Joint Operations and Management Board Meeting Minutes. (June)

Moved by Commissioner Alsager and seconded by Vice Mayor Perschbacher to approve the following items on the Consent Calendar:

1. Minutes of the electronically conducted regular meeting of the City Commission held July 12, 2021.
2. Contract amendment with JCI Jones Chemicals of Riverview, Michigan, for caustic soda at \$525 per dry ton for the remainder of 2021 unless the product can be purchased at a lower cost from another supplier.
3. Authorize the Mayor to sign the 2020-2024 Mt. Pleasant Housing Commission Environmental Review for submission.
4. Resolution approving submittal of the grant application to the Michigan Council for Arts and Cultural Affairs for the 2022 Paint the Pavement project as presented:
WHEREAS, the City of Mt. Pleasant working with community partners wishes to expand the Paint the Intersection public art project in downtown to help serve the community's arts for the fiscal year 2022, and;
WHEREAS, the proposed Paint the Intersections project is consistent with the goals and objectives of the City's current Master Plan, and;
WHEREAS the proposed 2022 Paint the Intersection project and grant application were discussed at a public meeting of the Mt. Pleasant City Commission held July 26, 2021 at 7:00 p.m. via Zoom, and;
WHEREAS, The City of Mt. Pleasant has committed to providing \$1,000 in-kind funds toward the project cost from City staff for assistance in event planning, logistics, and road closures;
NOW THEREFORE, BE IT RESOLVED that the Mt. Pleasant City Commission hereby approves submittal of a 2022 Michigan Arts Council for the Arts and Cultural Affairs grant application for the 2022 Paint the Intersections project.
5. Resolution for final approval for Traffic Control Order #3-2021 as follows:
WHEREAS, under the date of March 25, 2021, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 3-2021 (Place "No Parking Loading and Unloading Only" sign at the first parking space on east side of University Street south of Illinois/University intersection in front of Veterans Memorial Library). Said temporary traffic control order was presented to the City Commission on July 26, 2021, for review and after reviewing said temporary control order and being fully advised in the premises,
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 3-2021 a permanent traffic control order.
6. Resolution for final approval for Traffic Control Order #4-2021 as follows:
WHEREAS, under the date of March 25, 2021, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 4-2021 (Place 2 "10 Min Parking Drop-offs and Pick-ups Only" signs at the hatched area on the

north side of Broadway Street in front of the Isabella Bank at 139 E. Broadway Street [west of Broadway/Court intersection]. Remove existing "No Parking" sign). Said temporary traffic control order was presented to the City Commission on July 26, 2021, for review and after reviewing said temporary control order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 4-2021 a permanent traffic control order.

7. Warrants dated July 7, 14 & 15, 2021 and Payrolls dated July 9, 2021 all totaling \$826,055.84.

AYES: Commissioners Alsager, Cyman, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: Commissioner Gillis

Motion carried.

Moved by Vice Mayor Perschbacher and seconded by Commissioner Alsager to rescind prior City liquor license polices, adopt two new liquor license policies and approve the resolution to adopt the \$250 application fees for liquor licenses as presented. (CC Exh. 10-2021)

WHEREAS, the City provides various services for both temporary and permanent liquor licenses,

WHEREAS, the City Commission adopted fee/charges for temporary liquor license applications on February 14, 1990, and for redevelopment liquor licenses on June 27, 2011,

WHEREAS, the City Commission adopted fee/charges policy guidelines in July 2017,

NOW, THEREFORE, BE IT RESOLVED that the following fees are consistent with the policy guidelines and are set to reconfirm for temporary licenses and redevelopment liquor license application fees and begin a new application fee for permanent licenses on July 26, 2021,

FURTHER BE IT RESOLVED that the application fee will be \$250 for a temporary liquor license and \$250 for a permanent liquor license.

AYES: Commissioners Alsager, Cyman, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: Commissioner Gillis

Motion carried.

Moved by Commissioner Tolas and seconded by Commissioner Alsager to authorize Public Safety Director Paul Lauria to sign the application for a fireworks permit for a display on Saturday, December 4, 2021 at 7:00 p.m.

AYES: Commissioners Alsager, Cyman, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: Commissioner Gillis

Motion carried.

Moved by Commissioner Ronan and seconded by Vice Mayor Perschbacher to accept the initiative petition received under the MRTMA and approve the Resolution to Approve Ballot Language as presented for the November 2, 2021 election as follows:

WHEREAS, under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (“MRTMA”), individuals may petition to initiate an ordinance to provide for the number of recreational marihuana establishments allowed within a municipality or to completely prohibit recreational marihuana establishments within a municipality; and

WHEREAS, under the MRTMA, the proposed ordinance shall be submitted to the electors of the municipality at the next regular election when a petition is signed by qualified electors in the municipality in a number greater than 5% of the votes cast for governor by qualified electors in the municipality at the last gubernatorial election; and

WHEREAS, the City Commission received petitions to initiate a City ordinance to amend Section 115.02 of the City of Mount Pleasant City Code, entitled “Authorized Establishments” on July 7, 2021; and

WHEREAS, the City Clerk has verified 339 signatures as valid, which is greater than 5% of the votes cast for governor by qualified electors in the City at the last gubernatorial election; and

WHEREAS, the City is required to submit the proposed ordinance to the voters of the City and approve ballot language for submission to the County Clerk.

NOW, THEREFORE, the City Commission of the City of Mount Pleasant, Isabella County, Michigan resolves as follows:

1. The City Commission approves and shall submit the following ballot question to the Isabella County Clerk for the purpose of submitting such ballot question to the electors of the City of Mount Pleasant at the November 2, 2021 election:

Local Proposal No. _____

A proposed initiated ordinance in the City of Mount Pleasant to amend Section 115.02 of the City of Mount Pleasant City Code to increase the maximum number of authorized recreational marihuana retailers in the City from three to ten.

Should this ordinance be adopted?

- YES
 NO

2. The City Clerk shall promptly certify and submit this resolution to the Isabella County Clerk no later than August 10, 2021, at 4:00 P.M., so that the proposal may be included on the ballot in the November 2, 2021 election.

3. Any resolutions that are inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

AYES: Commissioners Alsager, Cyman, Joseph, Perschbacher & Ronan

NAYS: Commissioner Tolas

ABSENT: Commissioner Gillis

Motion carried.Moved by Commissioner Alsager and seconded by Commissioner Cyman to approve resolution extending conditional authorization for LowKey Properties LLC medical marihuana Class A grower license at 1110 N. Fancher as presented.

WHEREAS, LowKey Properties LLC received a conditional authorization for a Class A Medical Marihuana Grower on July 12, 2021; and

WHEREAS, Section 112.03(E) of the Mount Pleasant City Code of Ordinances requires the City Clerk to grant final authorization for conditionally authorized medical marihuana facilities if the applicant: (1) Submits the paperwork for the facility-specific step of the application for a state operating license (and all related applications for stacked licenses) to LARA within 30 days of receiving conditional authorization; (2) Submits an application for special use authorization pursuant to section 154.410(B)(4)(p) of the zoning ordinance within 30 days of receiving conditional authorization; (3) Obtains special use authorization within six months of receiving conditional authorization; and (4) Obtains a state operating license within 18 months of receiving conditional authorization; and

WHEREAS, LowKey Properties LLC has satisfied the requirements of Sections 112.03(E) (2) and (3) of the Mount Pleasant City Code of Ordinances as the proposed property has a Special Use Permit issued by the Planning Commission on March 4, 2021; and

WHEREAS, LowKey Properties LLC has not yet satisfied the requirements under Section 112.03(1); and

WHEREAS, the conditional authorization granted to LowKey Properties LLC will otherwise expire because the applicant has not submitted the paperwork for the facility specific step of the application for a state operating license (and all related applications for stacked licenses) to LARA within 30 days of receiving conditional authorization as specified under Section 112.03(E)(1); and

WHEREAS, LowKey Properties LLC has requested a nine (9) month extension to meet the requirement of Section 112.03(E)(1) for cause as outlined in their July 12, 2021 request for extension; and

WHEREAS, Section 112.03(F) of the Mount Pleasant City Code of Ordinances authorizes the City Commission to extend any of the deadlines required by Section 112.03(E) upon a showing of good cause.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Commission of the City of Mount Pleasant finds that LowKey Properties LLC has established good cause to extend the deadline to meet the requirements of Section 112.03(E)(1).

2. LowKey Properties LLC 's request under Section 112.03(F) for a nine-month extension to satisfy the requirements of Section 112.03(E)(1) for their Class A Medical Marihuana Grower located at 1110 N. Fancher is granted and the deadline date to satisfy such requirements shall be April 26, 2022.

3. Except as otherwise modified by this Resolution, all other deadlines established by Chapter 112 of the Mount Pleasant City Code of Ordinances shall remain in full force and effect.

AYES: Commissioners Alsager, Cyman, Joseph, Perschbacher & Ronan

NAYS: Commissioner Tolas

ABSENT: Commissioner Gillis

Motion carried.

Announcements on City-Related Issues and New Business

Mayor Joseph reminded community to get vaccinated. You can sign up through the Isabella County Health Department.

Public Comment on Agenda and Non-Agenda Items

Deborah Cary, 7434 E. Howard City Edmore Rd., Vestaburg, Michigan, commented that nothing else changed in the ordinance other than the number of facilities allowed.

Maureen N. Eke, 912 Hopkins St., asked what prompted the marijuana facility restriction to 3 licenses. City Manager Ridley to follow-up. She thanked the Commission for addressing difficult issues.

Deborah Cary commented that it is her opinion that the restriction of 3 licenses is because they didn't want to turn into "Bay City".

The Commission recessed at 8:26 p.m. and went into work session at 8:33 p.m.

WORK SESSION – Principal Shopping District (PSD) Special Assessment.

Mayor Joseph and City Manager Ridley led a discussion about the Principal Shopping District (PSD) special assessment.

Discussion ensued.

A proposed Principal Shopping District (PSD) special assessment will be placed on the August 9 agenda.

Mayor Joseph adjourned the meeting without objection at 8:45 p.m.

William L. Joseph, Mayor

Mary Ann Kornexl, Deputy City Clerk