

Minutes of the regular meeting of the City Commission held Monday, April 11, 2022, at 7:00 p.m., in the City Commission Room, 320 W. Broadway St., Mt. Pleasant, Michigan with virtual options.

Mayor Perschbacher called the meeting to order.

The Pledge of Allegiance was recited.

Commissioners Present: Mayor Amy Perschbacher and Vice Mayor Olivia Cyman; Commissioners Mary Alsager, Brian Assmann, Liz Busch, Maureen Eke & George Ronan

Commissioners Absent: None

Others Present: City Manager Aaron Desentz, City Clerk Heather Bouck and City Attorney Michael Homier

#### Proclamations and Presentations

Mt. Pleasant Police Officer Chris Leonard was introduced and sworn in by Police Chief Paul Lauria.

Recently hired Paid On-Call Firefighter Chris Ferrara was introduced by Police Chief Paul Lauria.

Assistant Director of Community Services, Jacob Kain, introduced Cindy Warba, President of Eagle Pointe Condominium Owners Association. Mayor Perschbacher presented Eagle Pointe Condominium Owners Association a Neighborhood Mini Grant check in the amount of \$669.42.

#### Additions/Deletions to Agenda

Moved by Commissioner Eke and Supported by Commissioner Busch to approve the agenda with the addition of Item #23, Broadway Central. Motion unanimously adopted.

#### Public Input on Agenda Items

Nate Shafto, [nateshafto@gmail.com](mailto:nateshafto@gmail.com); Chris Rowley, [chris@meetmtp.com](mailto:chris@meetmtp.com); Elmo, Max & Emily's, [elmo@maxandemilys.com](mailto:elmo@maxandemilys.com); Margo Nielson, [Margonielson@gmail.com](mailto:Margonielson@gmail.com); and Nate Smith, [nathanielbsmith@gmail.com](mailto:nathanielbsmith@gmail.com) sent in email communications in support of Broadway Central.

Elizabeth Meadows, 315 E. May St.; commented on facebook in favor of Broadway Central.

## Receipt of Petitions and Communications

Received the following petitions and communications:

4. City Manager report on pending items;
  - a. Monthly report on police related citizen complaints received.
5. Correspondence received from Anne Heidemann, 621 E. Andre Ave.; Kristin LaLonde, 120 S. Arnold St.; Amanda Garrison, 413 N. Fancher; Shannon Palmed, 72 E. Bluegrass Rd.; Andrew Blom, 1304 E. Lincoln St.; Keith Palmer, 72 E. Bluegrass Rd.; Doug Lapp, 320 Cresthaven Ln.; Elizabeth Alm, 710 Hopkins St.; Crini Tarasi, 1507 Vroman Rd.; Mark Homuth, 2424 S. Mission St.; Chase Rotman, 414 S. University Ave.; Riley Jusits, Sleepy Dog Books, 120 E. Broadway; Pure Vitality, Broadway St.; Lisa Pratt, 8501 E. Baseline Rd. in favor of Broadway Central.
6. Correspondence received from Justin Smith, [smithdriver22@gmail.com](mailto:smithdriver22@gmail.com); Jane Ervin, [jtervin22@gmail.com](mailto:jtervin22@gmail.com); Richard Ervin, [rserv41@gmail.com](mailto:rserv41@gmail.com); TJ Smith, [tjsmith85@gmail.com](mailto:tjsmith85@gmail.com); Penny Ervin, [pricelesspenny32@yahoo.com](mailto:pricelesspenny32@yahoo.com); JB Fletcher, [ar1ellea@icloud.com](mailto:ar1ellea@icloud.com); Shirley Fernbach, [sfernbach@charter.net](mailto:sfernbach@charter.net); James Champion, [jameschampion1992@gmail.com](mailto:jameschampion1992@gmail.com); Brenda Peters, [Brenda.peters16@gmail.com](mailto:Brenda.peters16@gmail.com). regarding proposed marihuana ordinance amendments.
7. Traffic Control Committee Meeting Minutes. (January) and (March)

Moved by Commissioner Alsager and seconded by Commissioner Eke to approve the following items on the Consent Calendar:

8. Minutes of the regular meeting of the City Commission held March 28, 2022.
9. Set a public hearing for Monday, April 25, 2022 at 7:00 p.m. on a redevelopment liquor license for Jib-Bob, LLC.
10. Set a public hearing for Monday, April 25, 2022 at 7:00 p.m. to obtain public input on the Community Development Block Grant Water Related Infrastructure Program.
11. Received proposed 2023-2028 Capital Improvement Plan and set a public hearing for May 23, 2022 on same.
12. Amendment to the Consumers Energy Demand Response Agreement for continuation in the program, and authorized the Mayor to sign the Agreement.
13. Set a public hearing for Monday, May 23, 2022 at 7:00 p.m. for presentation of the Phase II Project Plan for upgrades at the WRRF.
14. Warrants dated March 29, 2022 and April 5 and 7, 2022 and Payrolls dated April 1, 2022 all totaling \$987,175.68.

Motion unanimously adopted.

A public hearing was held on the proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 112. Medical Marihuana Facilities of the Mt. Pleasant Code of Ordinances to update standards for medical marihuana facilities.

Micah Focken, 910 E. Chippewa St.; Crystal Popour, 8495 Chippewa Tr.; Alex, Budtender at Consano; Kile Zimmerla, 512 Main St., Apt 4; Joe Wernette, 222 S. Arnold St.; Caleb Cary, 910 E. Chippewa St.; Deb Cary, 7434 Howard City Edmore Rd., Vestaburg; and Anndersen Fremin, 201 S. Fancher, spoke in support of reciprocity.

Gerald Griffin, 9212 Coriander Way; Stephanie Terpening, 611 Schoolcrest Ave.; and Bob Busch, 422 S. Washington St.; spoke in favor of no limits on number of marihuana facilities allowed in the City.

Reid Felsing, Esq., 105 W. Hillsdale, Lansing, spoke in opposition to reciprocity.

[Smjprj\\_69@Charter.net](mailto:Smjprj_69@Charter.net); Nancy Zuker, [zucker1nr@hotmail.com](mailto:zucker1nr@hotmail.com); Tammy Viglianco, [tsviglianco@gmail.com](mailto:tsviglianco@gmail.com); Rebecca Focken, [fockenreba@gmail.com](mailto:fockenreba@gmail.com); Ella Reck, [reck1ef@cmich.edu](mailto:reck1ef@cmich.edu); and Miranda Nelson, [mjplace88@gmail.com](mailto:mjplace88@gmail.com), provided email communications in support of reciprocity.

Shirley Fernbach, [sfernbach@charter.net](mailto:sfernbach@charter.net); Janna Rowland, [j\\_rowland24@hotmail.com](mailto:j_rowland24@hotmail.com); Stephanie Terpening, [stephterpening@gmail.com](mailto:stephterpening@gmail.com); TJ Smith, [smithkurt.mi@gmail.com](mailto:smithkurt.mi@gmail.com); David Kilmer, [davidbk555r@gmail.com](mailto:davidbk555r@gmail.com); Kristena Frick, [kristena.frick72@gmail.com](mailto:kristena.frick72@gmail.com); Kristine Hoeltzel, [khoeltzel1402@gmail.com](mailto:khoeltzel1402@gmail.com); Sarah Schmittler, [skrschmittler91@gmail.com](mailto:skrschmittler91@gmail.com); Maezie Ervin, [maezie.ervin@icloud.com](mailto:maezie.ervin@icloud.com); Nick Murch, [nickandmurch@gmail.com](mailto:nickandmurch@gmail.com); Alice Peters, [alishacuvelier@gmail.com](mailto:alishacuvelier@gmail.com); Mary Slominis, [medicinechickie@gmail.com](mailto:medicinechickie@gmail.com); Kile Zimmerla, [zimme1ki@cmich.edu](mailto:zimme1ki@cmich.edu); Danika Walsh, [danikawalsh327@gmail.com](mailto:danikawalsh327@gmail.com); Nichole Focken, [focken\\_hough@yahoo.com](mailto:focken_hough@yahoo.com); Syd Mockridge, [nooooo.syd@gmail.com](mailto:nooooo.syd@gmail.com); and Emma Hixson, [emmagh2016@icloud.com](mailto:emmagh2016@icloud.com) sent email communications to the Commission in support of reciprocity.

Tate VerDuin, [tate@indulgemichigan.com](mailto:tate@indulgemichigan.com), sent email communication in opposition to reciprocity.

Susan and Kent Schultz; and Dennis Egan; sent email communications to the Commission in opposition to more marihuana facilities in Mt. Pleasant.

Betty Corbitt, 2001 Elva St.; Christi Roemer; and Bruce Schrock; left voicemail messages opposing more marihuana facilities in Mt. Pleasant.

There being no additional comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Eke and seconded by Commissioner Assmann that proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 112. Medical Marihuana Facilities of the Mt. Pleasant Code of Ordinances to update standards for medical marihuana facilities be tabled.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held on the proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 115. Recreational Marihuana Establishments of the Mt. Pleasant Code of Ordinances to update standards for adult-use marihuana establishments.

Micah Focken, 910 E. Chippewa St., expressed his frustration with the City Commission for yet again dragging their feet and not taking action.

There being no additional comments or communications, the Mayor closed the public hearing.

Moved by Vice Mayor Cyman and seconded by Commissioner Assmann that proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 115. Recreational Marihuana Establishments of the Mt. Pleasant Code of Ordinances to update standards for adult-use marihuana establishments be tabled.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Commissioner Alsager and seconded by Commissioner Assmann to postpone the public hearing on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal and consideration of resolution on same. Motion unanimously adopted.

A public hearing on the Michigan Economic Development Corporation (MEDC) Public Gathering Spaces Grant application and consideration of resolution on same.

Chris Rowley, 113 W. Broadway St., sent in an email communication to the Commission in support of the grant application.

There being no additional public communications or comments received, the Mayor closed the public hearing.

Moved by Commissioner Busch and seconded by Commissioner Eke to approve the MEDC Public Gathering Spaces Grant application and resolution as follows:

**WHEREAS**, the Michigan Strategic Fund has invited Units of General Local Government to apply for its Public Gathering Spaces (PGS) Competitive Funding Round; and

**WHEREAS**, the City of Mt. Pleasant desires to request \$1,000,000 in CDBG funds for Town Center Civic Space project; and

**WHEREAS**, the City of Mt. Pleasant commits local funds from its capital improvement funds in the amount of \$500,000; and

**WHEREAS**, the proposed project is consistent with the local Community Development Plan as described in the Application; and

**WHEREAS**, the proposed project will benefit all residents of the project area and 63.57 percent of the residents of the City of Mt. Pleasant are low and moderate income persons as determined by (census data provided by the U.S. Department of Housing and Urban Development OR an income survey approved by the Michigan Economic Development Corporation); and

**WHEREAS**, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mt. Pleasant hereby designates Aaron Desentz, City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held on the proposed amendment to Article VII of the Mt. Pleasant Zoning Ordinances to update the definition of liquor store. There being no comments or communications, the Mayor closed the public hearing.

Moved by Vice Mayor Cyman and seconded by Commissioner Eke that Ordinance 1076, an Ordinance to amend Article VII of the Mt. Pleasant Zoning Ordinances to update the definition of liquor store having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held on the proposed amendment to Sections 154.103, 154.613 and 154.615 of the Mt. Pleasant Zoning Ordinances regarding the types of improvements and applications requiring site plan review and approval. There being no comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Alsager and seconded by Commissioner Ronan that Ordinance 1077, an Ordinance to amend Sections 154.103, 154.613 and 154.615 of the Mt. Pleasant Zoning Ordinances regarding the types of improvements and applications requiring site plan review and approval having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Alsager, Assman, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Vice Mayor Cyman and seconded by Commissioner Alsager to designate the five (5) precincts and their locations as presented and all documentation to be forwarded to the Bureau of Elections as approved to be implemented beginning with the August 2022 primary election. Motion unanimously adopted.

Moved by Commissioner Eke and seconded by Commissioner Busch to make the following appointment to Boards and Commissions as recommended by the Appointments Committee.

Historical District Commission  
Dr. Amanda Garrison

Term expires:  
December 31, 2023.

Motion unanimously adopted.

Moved by Vice Mayor Cyman and seconded by Commissioner Eke to place the issue of Broadway Central on the April 25, 2022 meeting agenda with an action plan from staff providing a list of events and a proposed budget amendment. Motion unanimously adopted.

#### Announcements on City-Related Issues and New Business

Commissioner Alsager announced that there is rental assistance available for non-tribal members from the Saginaw Chippewa Indian Tribe for those in need.

Commissioner Busch announced that individuals may register to vote prior to age 18 with the registration becoming effective on their 18<sup>th</sup> birthday. Register on-line at [vote.gov](http://vote.gov).

Mayor Perschbacher announced that she recently toured 502 S. University and was amazed by the progress taking place there and shared the kind words said about City staff.

Moved by Mayor Perschbacher and seconded by Commissioner Alsager to conduct a closed session pursuant to MCL 15.268(1)(E) to consult with the city attorney regarding trial or settlement strategy in connection with Taco Boy of Mount Pleasant, Inc., v City of Mt. Pleasant, Circuit Court Case No. 22-27612-AA, the discussion of which in an open meeting would have a detrimental financial effect on the litigation or settlement position of the City.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

The Commission recessed at 9:13 p.m. and went into a closed session at 9:26 p.m. A separate set of minutes was taken for the closed session.

The Commission reconvened at 9:37 p.m.

Moved by Commissioner Ronan and seconded by Commissioner Eke to accept the proposed settlement in the case of Taco Boy of Mount Pleasant, Inc., v City of Mt. Pleasant, Circuit Court Case No. 22-27612-AA and instruct the City Attorney to complete the settlement process and enter into the proposed agreement. Motion unanimously adopted.

Moved by Commissioner Eke and seconded by Commissioner Alsager to adjourn the meeting at 9:38 p.m. Motion unanimously adopted.

---

Amy Perschbacher, Mayor

---

Heather Bouck, City Clerk