

**OFFICIAL PROCEEDINGS OF THE
CITY COMMISSION OF THE
CITY OF SCOTTVILLE, MICHIGAN**

The 1444th Regular Commission Meeting of the Scottville City Commission was held on February 18, 2019 and called to order at 5:30 p.m. by Mayor Krieger.

Clerk Howe administered the oath of office to First Ward Commissioner Brian Benyo.

Roll Call was taken with the following members present:

Commissioners	Rob Alway Brian Benyo Sally Cole Connie Duncil Sue Petipren Marcy M. Spencer
Mayor	Bruce Krieger

Also, in attendance were City Manager Williams, Clerk Howe, Sgt. Williams and Attorney Thompson.

APPROVAL OF THE MINUTES

Motion, by Alway and seconded by Spencer, to approve the 1443rd Regular Meeting Minutes, Committee of the Whole Minutes and the 253rd Special Meeting Minutes. Motion carried.

APPROVAL OF THE BILLS

Motion, by Spencer and seconded by Duncil, to approve the bills in the amount of \$36,336.12. Motion carried.

HEARING OF THE CITIZENS

Ed Hahn asked why the Commission would opt out of medical Marihuana when any resident can grow up to 12 plants within the City limits and within their own home.

Ed Hahn asked what position the Commission will take if an applicant for the City's manager's job requests an independent audit?

Krieger responded there are unknown people in the City who are currently growing Marihuana plants and the City has no control over that at this time. They want to opt out at this time until the State of Michigan comes up with some plan. Krieger stated the City already does an independent audit every year.

Roy Holden asked if the public can speak during the Public Hearing. Krieger stated they could.

Eric Thue asked when the City opted out of medical Marihuana? Krieger stated the City is automatically opted out if they do not do anything.

COMMUNICATIONS

The Mason County Rural Fire Authority Minutes were submitted for review.

A variance request application to construct a family home and office building at Henry's Landing was submitted for review. City property is located within 300 feet of their property, thus the reason for the notification.

PUBLIC HEARING

Motion, by Spencer and seconded by Cole, to close the Regular Meeting and open the Public Hearing for the purpose of discussing Ordinance # 2019-01 Prohibition of Marihuana Establishments. This ordinance will amend the Code of Ordinances of the City of Scottville by adding a new chapter which new chapter shall be designated as Chapter 116 of said code and by adding a new section which new section shall be designated as 130.15 of Chapter 130 of said code. Motion carried.

There was no staff report.

The first reading was held January 7, 2019. Thompson explained there were two sections of the ordinance those being Prohibition of Marihuana Establishments and Prohibition on Sale and Consumption of Marihuana in Public Places. Thompson reviewed the ordinance and noted this ordinance refers to Recreational Marihuana and not Medical Marihuana.

Benyo asked if at some point the Commission would decide it is the right time to opt in, could they do that?

Thompson stated yes if they have the majority of the votes.

Petipren noted the citizens have spoken and they want a medical Marihuana dispensary here and the Commission should support them.

Duncil agreed with Petipren.

Alway stated it is important to wait and see what the legislators do with this issue before jumping in and having the rules changed.

Benyo stated as they move forward with the medical and recreational Marihuana issues, he would like everyone to keep an open mind and consider all the options before closing the book out.

Roy Holden is frustrated that even though the majority of people in the county voted for Marihuana use there are some Commissioners who do not want it and they are not listening to them.

Eric Thue asked the Commission to keep an open mind when make decisions regarding Marihuana issues.

Ed Hahn noted a dispensary would generate a lot of money for the business district and he does not understand why the Commission would pass up an opportunity like this.

Motion, by Spencer and seconded by Cole, to close the Public Hearing and re-convene the Regular Meeting. Motion carried.

REPORTS CITY MANAGER

- Senator Vanderwall will be holding his coffee hour on Monday, February 25th from 8-9 a.m.
- USDA submitted their grant money for the new police cruiser.
- MCC's Cocoa Shuffle will be held Friday, February 22nd beginning at 5:30 p.m. The event is open to the public.
- A copy of the list of standing committees and board members was submitted to the Commissioners.

CITY ATTORNEY

No reports were available.

POLICE DEPARTMENT

No reports were available.

TREASURER'S REPORT

No reports were available.

COMMITTEE REPORTS

Ordinance

- Blight Spreadsheet
- Open tickets regarding blight

Finance

- Budget
- DDA funding options

Infrastructure

Did not meet.

Building and Grounds

Did not meet.

Personnel

Did not meet.

ADDITIONS AND DELETIONS TO THE AGENDA

None.

OLD BUSINESS

Motion, by Alway and seconded by Krieger, to approve Ordinance 2019-01 as presented.

Roll Call Vote:

Alway – Yes
Benyo – No
Cole – Yes
Duncil – No
Krieger – Yes
Petipren – No
Spencer – Yes

Motion carried.

Todd Sorenson who owns TnT Enterprize submitted a proposal for the 2019-2020 mowing season for various services throughout the City. He proposes to keep the rates as the previous year. Williams stated paying the contract early results in a savings of \$400.00 for the City. Williams stated the City does not have the man power to mow and weed whip the cemetery and it is more cost effective to contract out the mowing at McPhail Field. Motion, by Krieger and seconded by Spencer, to approve the mowing and wood contract for the 2019/2020 season as presented. Motion carried.

Every year the City is required to adopt a resolution for PA 152 as an opt-out regarding employee health insurance amounts. Williams noted this year the City will see a savings of 5.5% in the cost of health insurance. Motion, by Spencer and seconded by Duncil, to approve Resolution # 19-29 regarding PA 152 as presented. Motion carried.

NEW BUSINESS

The first reading of Ordinance 2019-02 is necessary because it centers on zoning restrictions for recreational Marihuana establishments. The Planning Commission has reviewed and recommended the ordinance be approved. The law firm of Dickenson and Wright also recommend the approval of the ordinance. Motion, by Cole and seconded by Krieger, to approve the first reading of Ordinance # 2019-02, Prohibition of Recreational Marihuana.

Roll Call Vote:

Benyo – No
Cole – Yes
Duncil – No
Krieger – Yes
Petipren – No
Spencer – Yes
Alway – Yes

Motion carried.

Kathie Grinzinger from the MML will be meeting with staff on Monday, February 25 (1:00 p.m) and Commissioner's (3:30 p.m.) to discuss what they are looking for when searching for a new city manager. The 3:30 meeting is a special meeting and is open to the public. Grinzinger will be submitting paperwork ahead of time that will help prepare everyone for the meetings.

HEARING OF THE CITIZENS

Ed Hahn stated a multi-page flyer was handed out to the Commissioners the previous meeting that was based on the dangers of Marihuana and he claims it did not contain correct information.

Roy Holden would like the next city manager to have economic development experience.

COMMISSIONERS REPORTS AND COMMENTS

Alway has heard comments that some people believe the City should change their status from city to a village. He noted even if that were to happen it would not eliminate any current debt and we would still be responsible for whatever it takes to operate the city.

Alway stated according to the State of Michigan there are approximately 500 people in the County of Mason that have a medical Marihuana card and they already have sources to get it from.

At a previous meeting Alway noted Scottville became a City on February 17, 1907. He declared every year at the first Commission meeting held after February 17 that recognition be given for this event by having a Scottville Day. Alway explained how Scottville became a City.

ADJOURN

It was moved by Spencer and seconded by Cole to adjourn. So carried at 6:16 p.m.

Bruce Krieger, Mayor

Deborah A. Howe, Clerk

