

CITY OF COOPERSVILLE
REGULAR MEETING OF THE CITY OF COOPERSVILLE CITY COUNCIL
CITY HALL, 289 DANFORTH ST.; COOPERSVILLE, MICHIGAN

January 14, 2019

Present: Council Member Bush Council Member Ward
Council Member Fynewever Council Member Wheeler
Council Member Lampe Mayor Crandle
Council Member Mooney

Absent: None

Additions/Corrections to Agenda None

Scheduled Guests and Public Hearings

Recreational Marihuana

City Attorney Jeff Sluggett was present and discussed the Michigan Regulation and Taxation of the Marihuana Act of 2018. (Recreational Marihuana) Mr. Sluggett explained to the Council, that the law took effect December 6, 2018. LARA has a twelve (12) month deadline for beginning to accept applications (presumably to give LARA time to promulgate rules related to the application process)

A municipality wishing to prohibit or limit the number of marihuana establishments must affirmatively do so by ordinance.

As part of the state's licensing application process, it must forward a copy of a state license application to the municipality in which the marihuana establishment will be located and, assuming the application meets all other state requirements, will approve the application if the municipality in question fails to notify the state that the proposed marihuana establishment is in conflict with an ordinance prohibiting or limiting the number of such establishments.

Mr. Sluggett stated that most communities have taken the position that they are not going to allow marihuana facilities. Council Member Ward asked Mr. Sluggett what regulations other municipalities were setting and if and how the state is going to regulate what the contents in these products will be. Mr. Sluggett stated that there is nothing clear on this issue yet.

Mr. Sluggett informed the Council that if retail sales of marihuana is not allowed in the City, none of the state revenue or tax money will be shared with the City.

Council Member Ward asked, if the City, has the ability, to enforce the laws on driving under the influence of marihuana? Mr. Sluggett stated that there is no test to test for THC levels. Sgt. Luce stated that they are currently using the normal sobriety tests and that a blood test could be performed. The test must be performed quickly, since marihuana does not stay in the blood stream for very long.

Mr. Sluggett recommended that the City act sooner, rather than later, on this matter.

Council Members will act upon this matter at the February 2019 meeting.

Scheduled Guests and Public Hearings continued

City Charter

City Attorney, Jeff Sluggett presented to Council the difference between City Charter revisions and amendments.

Amendments only alter or improves within the lines of the original charter. Initiated by 3/5s vote of entire Council or upon submission of initiatory petition signed by requisite number of electors.

Revisions implies a re-examination of the whole law or charter and a redraft without obligation to maintain the form Scheme or structure of the old. Initiated by 3/5s vote of entire Council or upon submission of initiatory petition signed by requisite number of electors.

Some discussion was held what changes are needed to be made to the Charter.

Council Members requested that City Clerk Kimberly Borgman review the charter for changes that are needed and to present these required changes to the City Council at the February meeting.

Citizen Input & Suggestions

Matt Fenske, Ottawa County Commissioner I District 11 re-introduced himself to the Council Members and informed them of the various boards and committees that he serves on.

State Representative, Luke Meerman introduced himself to the Council Members. Mr. Meerman informed the Council that he is very grateful to be in this position and asked that the Council Members "reach out" to him should they have any questions or concerns. Mr. Meerman stated that his position is "your seat."

Consent Agenda

Motion by council Member Mooney with second by Council Member Wheeler to approve all items on the Consent Agenda as amended. Motion carried unanimously. (2019-001)

Approved Consent Agenda items are as follows:

- *Minutes of the City Council meeting of December 10, 2018*
- *Invoices from Bloom Sluggett, PC totaling \$1,927.50*
- *Invoices from Davis & David, PLC totaling \$6,126.25*
- *Invoices from Infrastructure Alternative, INC totaling \$9,995.00*
- *Invoices from Prein & Newhof totaling \$17,437.85*
- *Invoice from Ottawa County Fiscal totaling \$56,412.07*
- *Invoice from AECOM totaling \$7,000*
- *Invoices from OMM totaling \$39,113*
- *Checks through 01/09/19 totaling \$1,922,027.90*
- *Council Information packet.*

Petitions and Communications

Discussion was held on Recreational Marihuana and the options that Council has, such as, adopting an ordinance allowing Marihuana Establishments or prohibiting such establishments. Council Members had several concerns including the regulation of the products. City Manager, Jonathan Seyferth stated that he would be proposing an ordinance at the February Council meeting.

Discussion was held on amendments and/or revisions of the City Charter. Council Members appointed City Clerk, Kimberly Borgman to review the charter for changes that need to be made and to present a list of the proposed changes to the Council at the February meeting.

Petitions and Communications continued

Motion by Council Member Wheeler with second by Council Member Mooney to approve the resolution to reaffirm the utility late fees of ten (10) percent to be charged to all customers. Motion carried unanimously. (2019-002)

Motion by Council member Wheeler with second by Council Member Lampe to approve the down payment on the new Fire Station totaling \$350,000.00. Motion carried unanimously. (2019-003)

Motion by Council Member Bush with second by Council Member Wheeler to approve having Kiekover, Scholma, and Schumaker perform the annual audit for the Coopersville-Polkton Joint Building Authority. Motion carried unanimously. (2019-004)

Motion by Council Member Wheeler with second by Council Member Mooney to approve the following realignment and rotation for board terms for the DDA as proposed by City Manager Jonathan Seyferth: Motion carried unanimously. (2019-005)

- *Class A Expiring July 2019 – Bob Koch, Susan Schmidt, Greg Slater*
- *Class B Expiring July 2020 – Steve Cooper, Jeff Du Pilka, Ed Hanenburg*
- *Class C Expiring July 2021 – John Hubert, Teresa Kelly, OPEN*
- *Class D Expiring July 2022 – Ron Veldman, Jan Verberkmoes, OPEN*

Motion by Council Member Lampe with second by Council Member Fynewever to approve the rezoning of the property at 708 O'Malley Drive from Commercial to I-1 Light Industrial. Motion carried unanimously. (2019-006)

Motion by Council Member Lampe with second by Council Member Wheeler to approve the increase of \$900.00 to the current contract with EACom to complete the traffic study on Campus Drive. Motion carried unanimously. (2019-007)

Motion by Council Member Ward with second by Council Member Mooney to approve the Ottawa County 2019 SWAP Service Agreement. Motion carried unanimously. (2019-008)

Motion by Council Member Ward with second by Council Member Mooney to approve Progress Payment Number 3 for SKYE Contracting totaling \$64,785.00 for the WWTP Maintenance Room Addition. Motion carried unanimously. (2019-009)

Motion by Council Member Ward with second by Council Member Lampe to approve Progress Payment Number 7 for LD Docsa totaling \$83,244.50 for the WWTP Effluent Pump/UV Project. Motion carried unanimously. (2019-010)

Motion by Council Member Wheeler with second by Council Member Mooney to formally set the start date for the Board of Review as Wednesday, March 13th. Motion carried unanimously. (2019-011)

Motion by Council Member Ward with second by Council Member Wheeler to approve the re-appointment of Duane Young and Lauri Douglas to the Board of Review. Motion carried unanimously. (2019-012)

Citizen Input and Suggestions

The new DDA Director, Ellen Berends introduced herself to the Council.

City Manager's Report

City Manager, Jonathan Seyferth reported on the following:

- Budget Workshops will be held on March 11th and April 8th.
- -County Drain Commissioner, Joe Bush, will be in attendance, at the February Council meeting to present an update on the Eagle Ridge Project

City Manager's Report continued

- Polkton Township Board has approved combining the Fire Department and Rescue Department together. There are a few details they would like to get more information on before they finalize anything.
- Asked the Council for their thoughts and opinion on not putting a copy of all the bills in with the consent agenda as they are included with the checks written. By placing the bills on the agenda and including them in with the checks written, the Council is approving them twice. This would lessen the size of the packet, as well as the amount of paper used to print the packets. Mr. Seyferth stated that he would present the next couple of meeting packets to Council without a copy of all the bills in it to see how it will/will not, work out for everyone, and that we can always change the process back if need be.

City Clerk's Report

City Clerk, Kimberly Borgman informed the Council Members of the following:

- Petition Packets are ready for City Council Candidates.
- Four seats expire this year: Council Members Ward, Wheeler, Fyneweever, and Lampe
- Local Officers Compensation Committee will meet in March. If there is anything the Council would like the Clerk to present to the committee, please let her know at the February meeting.
- Several election laws have changed.

City Treasurer's Report None

Adjournment

Motion by Council Member Wheeler with second by Council Member Bush to adjourn the meeting.
Motion carried unanimously. Meeting adjourned at 8:25 P.M. (2018-0113)

Larry Crandle, Mayor

Kimberly Borgman, City Clerk