

City of Albion
Special Session Minutes
November 2, 2017

I. CALL TO ORDER

Mayor Brown called the meeting to order at 7:00 p.m.

II. ROLL CALL

PRESENT: Council Members Maurice Barnes (1), Lenn Reid (2), Sonya Brown (3), Marcola Lawler (4) Jeanette Spicer (5), and Andrew French (6) and Mayor Brown.

STAFF PRESENT:

Sheryl Mitchell, City Manager and Cullen Harkness, City Attorney; Jill Domingo, City Clerk; Amy Deprez, EDC Director; Scott Kipp, Chief Public Safety and John Tracy, Director Planning, Building & Code Enforcement.

III. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to **agenda items only** and to no more than three (3) minutes. Proper decorum is required).

Public comments were received from Carlen Kernish, 903 Cram Lane; Kristin Tenson, Wild Bill's Tobacco; Peter Behncke, Comco; Al Smith, 1209 Adams St; Matthew Abel, HRD Industries; Tom Pitt, 115 Crandall St; Holly Zblewski, 508 Haven Rd and Nathan Fuentes, 12940 28 Mile Rd.

IV. Discussion/Authorization to Draft Ordinances Medical Marijuana Facilities

City Manager Mitchell gave a brief overview of the Medical Marijuana Licensing stating there are five (5) types of licensing which are:

1. Processor
2. Secure Transporter
3. Safety Compliance
4. Dispensaries
5. Growers

The Council may approve all or none of the above facilities for licensing.

City Attorney Harkness stated that per state law, growers must be located in industrial areas only.

Questions/Comments from the Council were as follows:

- Would like to see public access limited for both processors and growers
- Would prefer not to see any of the licensing facilities in the downtown area
- Would like to see the highway service district utilized

- Ordinances created for medical marijuana licensing may also create changes to some zoning ordinances
- Only interested in all facilities being located in industrial zoned areas and would like this specified in ordinance
- Has the State approved regulations for Medical Marijuana?
- The State has approved the regulations but will not be issuing licenses until December, 2017
- City Attorney would not recommend medical marijuana facilities being located on the 425 property as we agreements with other municipalities
- Staff recommends facilities should be kept 1,000 feet away from schools, churches, childcare and residential areas

Comments were received from Council Members French, Lawler, Brown, Spicer, Barnes and Reid; Mayor Brown; City Attorney Harkness and City Manager Mitchell.

- ❖ *Council Member French made a motion to Vote in Favor of Moving Forward with Draft Ordinances for Medical Marijuana Facilities.*

French moved, Barnes supported, CARRIED, to Vote in Favor of Moving Forward with Draft Ordinances for Medical Marijuana Facilities. (6-1, rcv) (Lawler dissenting).

- ❖ *Council Member French made a motion to Reject Authorizing Licenses for Dispensaries inside the City Limits.*

French moved, Lawler supported, CARRIED, to Reject Dispensaries to Operate inside City limits as proposed. (5-2, rcv) (Barnes & Brown dissenting)

Comments were received from Council Members Spicer, Lawler and French; Mayor Brown; City Attorney Harkness and City Manager Mitchell.

- ❖ *Council Member Brown made a motion to Allow for Safety Compliance Facilities within the City.*

Brown moved, Spicer, supported, CARRIED, to Allow for Safety Compliance Facilities within the City. (5-2, rcv) (French and Reid dissenting).

Comments were received from Council Members Barnes and French and Mayor Brown; City Manager Mitchell and Amy Deprez, EDC Director.

- ❖ *Council Member Barnes made a motion to Approve Secure Transporters within the City.*

Barnes moved, Brown supported, to Approve Secure Transporters within the City. (5-2, rcv) (Reid and French dissenting).

Comments were received from Council Member French.

- ❖ *Council Member Barnes made a motion to Approve Processors within the City.*

Barnes moved, Brown supported, to Approve Processors within the City. (5-2, rcv)(French and Reid dissenting).

Comments were received from Council Member French.

❖ *Council Member Barnes made a motion to Accept Growers within the City.*

Barnes moved, Brown supported, CARRIED, to Accept Growers within the City as presented. (7-0, rcv)

Mayor Brown stated the following four facilities were approved for licensing:

1. Safety Compliance
2. Processors
3. Growers
4. Secure Transporters

The growers must be in M -industrial district classifications while the other three (safety compliance, processors & secure transporters) may be located in any zoning classification.

❖ *Council Member French made a motion Growers and Growing Facilities to be located in M1P, M2P and M2 Districts only.*

French moved, no support, FAILS, for Growers and Growing Facilities to be located in M1P, M2P and M2 Districts only.

Comments were received from Council Members Lawler, Brown, Spicer, Barnes, and French; Mayor Brown and Director of Planning, Building & Code Enforcement Tracy and City Attorney Harkness.

❖ *Council Member French made a motion for Growers and Growing Facilities to be located in M1P, M2P and M2 Districts only for the second time.*

French moved, Reid supported, CARRIED to Allow for Growers and Growing Facilities to be located in M1P, M2P and M2 Districts only. (5-2, rcv)(Barnes and Spicer dissenting).

Comments were received from Council Members Brown, Lawler and French; Mayor Brown and City Attorney Harkness.

❖ *Council Member French made a motion for Processors to be limited to M1P, M2 and M2P Districts only.*

French moved, Reid supported, FAILED, for Processors to be limited to M1P, M2 and M2P Districts only. (2-5, rcv) (Brown, Lawler, Spicer, Barnes and Mayor Brown dissenting).

Comments were received from Council Members Reid and Barnes, Mayor Brown and Director of Planning, Building & Code Enforcement Tracy.

- ❖ *Council Member Brown made a motion to Restrict Processors to B3, M1P, M2 and M2P Districts.*

Brown moved, Barnes supported, CARRIED, to Restrict Processors to B3, M1P, M2 and M2P Districts. (5-2, rcv) (French and Reid dissenting).

Comments were received by Council Members Lawler and Barnes, Mayor Brown and City Attorney Harkness.

- ❖ *Council Member Spicer made a motion to Restrict Secure Transporters to B3, M1P, M2 & M2P Districts only.*

Spicer moved, Barnes supported, CARRIED, to Restrict Secure Transporters to B3, M1P, M2 & M2P Districts only. (6-1, rcv) (French dissenting).

Comments were received from Council Members Spicer and Lawler.

- ❖ *Council Member Barnes made a motion to Restrict Safety Compliance to B3, M1P, M2 and M2P Districts only.*

Barnes moved, Brown supported, CARRIED, to Restrict Safety Compliance to B3, M1P, M2 and M2P Districts only. (5-2, rcv) (French and Reid dissenting).

Comments were received from Council Member French, Mayor Brown and City Attorney Harkness.

- ❖ *Council Member Barnes made a motion to accept all Three Types of Growers.*

Barnes moved, Brown supported, CARRIED, to accept all Three Types of Growers. (4-3, rcv) (French, Reid & Lawler dissenting).

Mayor Brown asked about the next steps of the process.

City Manager Mitchell stated the next steps will involve drafting the Medical Marijuana licenses and also having the Planning Commission work on ordinances relative to zoning changes that may need to be made.

City Attorney Harkness requested the Medical Marijuana Licensing Ordinance be added to the first agenda in December.

Comments were received from Mayor Brown.

V. Motion to Excuse Absent Council Member (s) (VV)

No action was necessary as all members were present.

- VI. PUBLIC COMMENTS (Persons addressing the City Council shall limit their comments to no more than three (3) minutes. Proper decorum is required).

Comments were received from Jay Loomis, 408 W. Ash St; Andrew Trexel, Visa AmeriCorps member; City Manager Mitchell; Kristin Tenson, Wild Bill's Tobacco; Peter Behncke, Comco LLC and Matthew Abel, HRD Industries.

- VII. ADJOURNMENT

Brown moved, Spicer supported, CARRIED, to ADJOURN Special Council Session. (7-0, vv).

Mayor Brown adjourned the Special Session at 8:50 p.m.

Date

Jill Domingo
City Clerk