

April 26, 2021

Mayor Wishart opened the regular meeting of the Gaylord City Council with a prayer by Council Member Awrey at 7:00pm on Monday, April 26, 2021. The Pledge of Allegiance followed the invocation.

The meeting was held in the City Council Chambers, located at City Hall, 305 East Main Street, Gaylord, Michigan. Council chambers were set up per social distancing guidelines. The meeting was available to members of the public virtually, via Zoom.

Members Present: Mayor Wishart, Sharrard, Hartz, Ouellette, Awrey, Witt and Sides.

Members Absent: None.

Motion by Sides, supported by Witt to dispense with the reading of the minutes from the April 12, 2021 meeting and accept them as presented.

Ayes: Unanimous. Motion Carried.

Public Hearing: A public hearing regarding a proposed marihuana ordinance and zoning ordinance amendments was opened at 7:01pm.

Chris Aiello, spoke at length with Attorney Paul Slough prior to council meeting. He believes the ordinance will keep us out of court. He feels that every district should be unlimited; control without liability.

Robert Hines, 2455 Otsego, believes it should be part of a point system. If you keep it a point system, you won't have litigation problems. Wants council to consider picking the best applicants, keeping it toward the marihuana industry.

Ian Murphy, Owner of Iron Pig, stated that he feels the marihuana ordinance is good.

The public hearing was closed at 7:48.

Public Comment: Dale Smith, 3214 Green Tree Lane, had concerns and made comment about number of "vote no" signs regarding the justice complex. He has had discussion with people who want to vote no because they feel the dollars/funds being collected is more than the amount of the bond. Need better clarification as far as the public is concerned.

Ian Murphy, Owner of Iron Pig, asked the question of how many open beds there were in the current jail and was curious about the amount of unpaid child support. He spoke about the need of the new complex because of the Alpine Center and the lack of space in the jail. Safety is an issue with the current jail. He was also appreciative of waiving the café permit fees.

Johnathon Burke, 314 E. Main Street, stated that we need change because of three issues, warrants, back child support and current work camp. He believes in a firm foundation of safety for our community. His biggest concern was the cost of materials for the project, hoping the cost will level out and what is the best way to move forward.

Motion by Sides, supported by Ouellette to approve the Future Planning Committee recommendation regarding the widening of Maple Street.

Ayes: 4      Nays: 2      Absent: 0      Motion Carried.

Motion by Sharrard, supported by Sides to table the approval of the city property usage request for Big Ticket Festival until next council meeting.

Ayes: Unanimous.      Motion Carried.

Motion by Sharrard, supported by Witt to approve the Iron Pig Café Permit Application. Councilman Sharrard stated that this is a second chance for Mr. Murphy. Mr. Murphy agreed that he would comply with the terms and conditions of the Ordinance and the permit application.

Ayes: Unanimous.      Motion Carried.

Motion by Ouellette, supported by Sides to approve the Outdoor Craft/Vendor at 845 S. Otsego solicitations application; contingent upon receiving approval from the property owner.

Motion by Ouellette, supported by Hartz to approve the Arbor Day Proclamation in the city of Gaylord to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

Ayes: Unanimous. Motion Carried.

Motion by Witt, supported by Ouellette to pass the second reading of the Marihuana Ordinance.

Ayes: 5      Nays: 1      Absent: 0      Motion Carried.

Motion by Witt, supported by Awrey to pass the second reading of the Amended Zoning Ordinance.

Ayes: 5      Nays: 1      Absent: 0      Motion Carried.

Motion by Witt, supported by Sides to set the effective date of the Marihuana Ordinance beginning June 1, 2021.

Ayes: 5      Nays: 1      Absent: 0      Motion Carried.

Motion by Witt, supported by Sides to approve the following resolution setting fees and limiting number of licenses available for marihuana establishments:

The City of Gaylord has amended its Marihuana Ordinance to authorize recreational marihuana establishments within the City under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018; and

The City's Marihuana Ordinance at Section 8(1) requires the City Council to establish, by resolution, the initial application fee and renewal fee for each type of establishment; and

The City's Marihuana Ordinance at Section 8(2) requires the City Council to establish, by resolution, the number of licenses for each type of marihuana establishment that will be issued in each respective zoning district in the City; and

The City Council has reviewed the application process, the enforcement burden, and the administrative burden on City Police and City Staff in determining the initial application fee and renewal fee; and

The City Council has heard public comment, has considered the proposed zoning restrictions on marihuana establishments, and has considered the safety and general welfare of the City’s residents;

**IT IS RESOLVED:**

1. The initial application fee for each marihuana establishment in the City of Gaylord, regardless of type, is **\$5,000.00**. The fee is non-refundable.
2. The renewal fee for each marihuana establishment in the City of Gaylord, regardless of type, is **\$5,000.00**. The fee is non-refundable.
3. Subject to all terms of the City of Gaylord Marihuana Ordinance and the City of Gaylord Zoning Ordinance, the maximum number of licenses that may be issued for each type of marihuana establishment in each zoning district is established as follows:

<i><b>Marihuana Establishment/Zoning District</b></i>	<b>R-1</b>	<b>R-2</b>	<b>B-1</b>	<b>C-1</b>	<b>C-2</b>	<b>M</b>
<b>Safety Compliance Facility</b>	NONE	NONE	NONE	UNLIMITED	UNLIMITED	UNLIMITED
<b>Security Transporter</b>	NONE	NONE	NONE	UNLIMITED	UNLIMITED	UNLIMITED
<b>Grower</b>	NONE	NONE	NONE	NONE	NONE	UNLIMITED
<b>Processor</b>	NONE	NONE	NONE	NONE	NONE	UNLIMITED
<b>Retailer</b>	NONE	NONE	NONE	NONE	UNLIMITED	UNLIMITED
<b>Microbusiness</b>	NONE	NONE	NONE	NONE	UNLIMITED	UNLIMITED

Ayes: 5      Nays: 1      Absent: 0      Motion Carried.

No other business was presented and the meeting was adjourned at 8:43 p.m.

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Jennifer Molski, City Clerk

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William Wishart, Mayor