

A Regular Meeting of the Otsego City Commission was held Monday, January 15, 2018.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Nick Breedveld, Tom Gilmer, Stacey Withee, and Jim Misner. Absent: None. Also present: Fire Chief, Brandon Weber; Interim City Manager/Finance Director Storbeck and Interim City Manager/Police Chief Konkle.

The audience joined the Commission in the Pledge of Allegiance.

The Regular January 3, 2018, and Special January 8, 2018, Meeting Minutes were approved.

I. PRESENTATIONS:

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

A. FIRST READING OF ORDINANCE #159 - AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF ORDINANCES TO ENSURE COMPLIANCE WITH THE MICHIGAN ELECTION LAW

Interim City Manager Cronen briefly explained the proposed ordinance. She stated that the ordinance would move the City Commissioner November election filing date from the 12th Tuesday before the November election, to the 15th Tuesday before the November Election. The second reading and proposed adoption will be presented at the February 5, 2018, City Commission meeting.

V. REQUESTS:

VI. AGREEMENTS:

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2018-03 - A RESOLUTION TO PROHIBIT THE OPERATION OF MEDICAL MARIHUANA FACILITIES IN THE CITY OF OTSEGO

At the request of the City Commission, a resolution to prohibit the operation of medical marihuana facilities in the City of Otsego, was presented. Commissioner Breedveld commented that he was unsure about the resolution. A brief discussion took place regarding the need for a resolution to opt-out. Commissioner Gilmer offered the following resolution and moved for its adoption, seconded by Commissioner Misner.

**CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2018-03**

A RESOLUTION TO PROHIBIT THE OPERATION OF MEDICAL MARIHUANA FACILITIES IN THE CITY OF OTSEGO

WHEREAS, enacted in 2016, the Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended, MCL 333.27101 *et seq.* (“Act 281”), provides for state licensing and regulation of medical marihuana growers, processors, provisioning centers, secure transporters and safety compliance facilities (collectively, “Medical Marihuana Facilities”); and

WHEREAS, Act 281 provides that Medical Marihuana Facilities shall not operate in a municipality unless the municipality adopts an ordinance that authorizes such operation; and

WHEREAS, being duly informed and advised, the City Commission has determined it shall not adopt ordinance provisions to authorize the location of any Medical Marihuana Facilities in the City of Otsego.

Now, therefore, the City Commission resolves as follows:

1. The City Commission shall not adopt ordinance provisions that authorize Medical Marihuana Facilities in the City of Otsego. Accordingly, the operation of such facilities in the City is prohibited.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

YEAS: Commissioners: Cyndi Trobeck, Tom Gilmer, Stacey Withee, and Jim Misner.

NAYS: Commissioners: Nick Breedveld.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

1. The Interim Managers answered questions of the Commission at this time.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

None.

COMMISSIONERS' COMMENTS

Commissioner Misner – he commented that he was glad the resolution passed. He commented “that some things do matter to me a lot and this is one of them.” He commented that he supports the Commission’s decision.

Commissioner Withee – she stated that this winter has been cold and she is glad that the roads are plowed and the water is not freezing.

Commissioner Gilmer – he echoed Commissioner Withee’s comments.

Mayor Trobeck – she stated that the DDA/Main Street will be having a Refresher from Michigan Main Street, at the Museum on January 16th. Goals and 2018 work plans will be reviewed.

The meeting was adjourned on a motion by Commissioner Withee, seconded by Commissioner Gilmer. CARRIED – 7:09 p.m.

Angela M. Cronen, MMC
City Clerk