The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Bob Monetza in the Council Chambers of City Hall.

Present: Council Members Mike Dora, Ryan Cummins, Dennis Scott, Mike Fritz, and Mayor Bob Monetza.

Absent: None.

Others Present: City Manager Patrick McGinnis, City Clerk Linda L. Browand, Assistant to the City Manager Ashley Latsch, Public Works Director Derek Gajdos, Public Safety Director Jeff Hawke, Streets & Utilities Manager Matt Wade, Neighborhood Development Coordinator Rhonda Kleyn, Finance Director Amy Bessinger, Public Safety Officer Mike Vanhook, City Attorney Ron Bultje, Lieutenant Lee Adams, and Sergeant Nichole Hudson.

INVOCATION/PLEDGE OF ALLEGIANCE

The invocation was given by Dr. Jared C. Cramer, St. John’s Episcopal Church, Grand Haven, and was followed by the Pledge of Allegiance as led by Mayor Monetza.

PRESENTATIONS

Promotions

Public Safety Director Hawke announced the promotion of Lee Adams to Lieutenant and Nichole Hudson to Sergeant.

2020-21 Fiscal Year Goals

The Goals Poster for Fiscal Year 2020-21 was unveiled.

APPROVAL OF CONSENT AND REGULAR AGENDAS

20-062 Moved by Council Member Fritz, seconded by Council Member Scott, to approve the consent and regular agendas, as amended. This motion carried unanimously.
(During Consent Agenda approval, the item regarding the demolition of the Chinook Pier Buildings was amended to include Building C and the cost increased to $46,000.)

GENERAL BUSINESS/CALL TO AUDIENCE

Mayor Monetza made a call to the audience, allowing audience members to address Council on any issue.

Ms. Peggy Cleveringa, 1308 Fulton Street, stated it was legal for the nativity and cross to be on Dewey Hill and handed out some documents.

Mr. Dale Freye, 1014 Columbus Avenue, thanked Mayor Monetza for writing a good article in the Grand Haven Tribune regarding the power plant. He questioned the possibility of running the snowmelt for one more year with current the equipment. He suggested keeping the smokestack and renting out space to wireless companies.

Mr. Field Reichardt, 427 Sand, was not opposed to the proposed plan by the BLP but reminded council that they needed to be cautious and deliberate at looking at different solutions. A citizen committee should be used to decide what was to be done.

Mr. Mike Weavers, 637 Lake Avenue, believed the City should look into raising Building C up a few feet instead of demolishing it.

Mr. Kent Blohm, 1820 Pine Court, felt there should be more options for energy production. He briefly gave information regarding the island of Kawaii energy and energy storage use. Clean energy technology was improving every year.

Ms. Sophie Stoepker, 54 Beechwood Lane, was disappointed the BLP would be replacing one fossil fuel plant for another. Most people wanted to abandon use of fossil fuels.

Mr. Josh Brugger, 626 Slayton, stated the new power plant would not supply any additional security if the grid were to go down. If the grid went down, Grand Haven would not have power.

Ms. Leslie Newman, president of Wetland Watch, would like to see the industrial zone on Harbor Island made into a public area. She also did not want to see any residential property on Harbor Island.
Mr. Walter Davis, 209 S. 3rd Street, stated fracking was a crime against the planet. There would be a showing of a film on fracking at the Loutit Library on Wednesday.

Ms. Geri McCaleb, 1235 Slayton, stated this was one more opportunity for her to say that Grand Haven should not open the door to medical marijuana. She said very little had been done to address medical issues and the damage caused by the use of marijuana. Pressure for recreational marijuana would come next.

Ms. Jennifer Stuppy, Ferrysburg resident, stated she used to use marijuana but was now against the use. It would be heartbreaking to have marijuana available in stores in Grand Haven.

Ms. Andrea Hendrick, 1514 Pennoyer, was afraid of the BLP moving forward with any plans until all factors for the space have been studied. A larger board should decide after researching different technology.

Dr. Gin Greenelee, Holland resident, said it was not too late to say “no” to medical marijuana dispensaries. Council needed to be concerned about the next generation.

Ms. Patty Nelsen, 1820 Pine Court, was not in favor of a gas-powered plant. Grand Haven needed to look into renewable energy.

Rev. Jerad Cramer, Grand Haven Township resident, thanked Council for all of their work done on the marijuana issue. He was glad to see that people would be able to get medicine they needed.

Ms. Rebecca Neil, 1644 Franklin, wanted to remind everyone that this ordinance was for medical use marijuana. She was grateful to Council for what they had done influencing laws.

Mr. Andy Cawthon, 50 Howard, complemented Mayor Moneta on his Grand Haven Tribune article. Financial consideration was needed to protect cash in the BLP’s account. He hoped Council would approve the Notice of Intent for bonds.

WORK SESSION CONTINUED

City Manager McGinnis reported that the cost to demolish building C would be $8,000. A conservative guess to restore the building would be in excess of $150,000. When looking at dollars, it was not a fiscally good idea to pursue restoration.
Public Works Director Gajdos stated that if the building were to be raised, there would then be challenges for steps and railings, causing additional costs.

Council agreed that, based on costs, building C should be demolished. The Economic Development Corporation/Brownfield Redevelopment Authority recommended looking into the possibility of capturing brownfield funds.

CONSENT AGENDA

20-063 Moved by Council Member Fritz, seconded by Council Member Dora, to approve the special work session and regular council meeting minutes of February 17, 2020. This motion carried unanimously.

20-064 Moved by Council Member Fritz, seconded by Council Member Dora, to approve the bills memo in the amount of $579,299.32. This motion carried unanimously. (Attachment A)

20-065 Moved by Council Member Fritz, seconded by Council Member Dora, to proclaim April 19-25, 2020 as National Library Week in the City of Grand Haven. This motion carried unanimously. (Attachment B)

20-066 Moved by Council Member Fritz, seconded by Council Member Dora, to approve the Neighborhood Housing Services Department to apply for and, if awarded, accept the FY20 MSHDA HEP and HUD funds, which provide funding for housing counseling and education services to Ottawa and Muskegon County residents. This motion carried unanimously.

20-067 Moved by Council Member Fritz, seconded by Council Member Dora, to approve an amendment to the fiscal year 2019-2020 Fee Schedule to add a $5,000 fee for Medical Marihuana Facility Applications and Medical Marihuana Facility Permit Renewals. This motion carried unanimously.

20-068 Moved by Council Member Fritz, seconded by Council Member Dora, to accept the low bid and approve the contractor services agreement with Advanced Pavement Marking, West Olive, Michigan, in the amount of $27,679.72 for City-wide pavement marking and striping and also authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.
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20-069 Moved by Council Member Fritz, seconded by Council Member Dora, to approve the low bid contract with Prein & Newhof, Grand Rapids, Michigan, for engineering services for Reliability Studies for the North Ottawa Water Systems in the not-to-exceed amount of $113,100 and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

20-070 Moved by Council Member Fritz, seconded by Council Member Dora, to accept the low bid from Melching Demolition, Muskegon, Michigan, in the amount of $46,000 for the demolition of Chinook Pier Buildings A, B & C and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

During consent agenda approval Building C was added to the demolition and the cost increased from $38,000 to $46,000.

PUBLIC HEARING

The mayor opened the public hearing at 8:42 p.m. concerning OCM Development, LLC “the applicant” for an on-premises liquor license.

The mayor closed the public hearing at 8:43 p.m.

20-071 Moved by Council Member Cummins, seconded by Council Member Fritz, to approve OCM Development LLC “the applicant” for an on-premises liquor license pursuant to Section 512a(1)(b) of PA 501 of 2006. This motion carried unanimously. (Attachment C)

City Manager McGinnis noted this request was for the proposed Morning Belle restaurant that would be on the corner of Columbus Avenue and Beacon Boulevard. The project would be a significant investment and the owners were working with the Brownfield Development Authority.

NEW BUSINESS

20-072 Moved by Council Member Scott, seconded by Council Member Fritz, to approve the Fulton Avenue Reconstruction Contract #20-5042 with the Michigan Department of Transportation in the not-to-exceed amount of $706,255 and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.
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Public Works Director Gajdos reported the City had been awarded significant federal and state funds (more than half) toward this project allowing the City to fund the remaining portion of $706,255. The project included water main replacement and a full storm sewer reconstruction.

20-073 Moved by Council Member Scott, seconded by Council Member Dora, to authorize notice of intent to issue revenue bonds for electric utility facilities, equipment, and site and system improvements. This motion carried with a vote of 4 to 1. In favor: Dora, Scott, Fritz, and Monetza. Opposed: Cummins. (Attachment D)

Board of Light and Power General Manager Dave Walters stated approval was just for a notice of intent, which would be a cap, not an approval amount. This resolution was necessary to allow for future bonding to be reimbursable for projects already approved, such as demolition and a substation. A generation facility would only be built if it made financial sense. A significant reason for building the proposed facility was that it promoted the use of more renewable resources.

City Attorney Bultije stated there was no limitation on what the City may bond. Revenue bonds were for public improvements and would not count against the bonding authority. He cautioned against anticipating the use of bonds just for cleanup efforts. Approval of this resolution would start the 45-day clock on a referendum.

Council Member Cummins expressed concern on approval if, in the future, it was decided not to have a generating facility at this location. He noted there still were many questions and suggested that Council have a work session on the subject.

Mayor Monetza stated he did not have an issue with the notice of intent but may have an issue when it came to the actual issuing of bonds.

UNFINISHED BUSINESS

20-074 Moved by Council Member Cummins, seconded by Council Member Dora, to approve a final resolution amending Chapter 9.5, Business Regulations, Article IV – Marihuana Establishments, of the City of Grand Haven Code of Ordinances. This motion carried with a vote of 4 to 1. In favor: Fritz, Dora, Cummins, and Monetza. Opposed: Scott. (Attachment E)
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REPORTS BY CITY COUNCIL

Council Member Dora attended the Airport Board and Walk the Beat information meetings. He encouraged people to donate cans of chicken, green beans, and mushroom soup for the Grand Haven Area Public Schools Backpack Blessings to help feed schoolchildren during Spring Break.

Council Member Cummins attended the Walk the Beat planning and East End reorganizational meetings.

Council Member Fritz attended the Frozen in Time event downtown. It was great to see people out and shopping in the community. He noted that there might be a Hungry Howie's going into the former Clark gas station.

Mayor Monetza participated in a tabletop emergency response exercise at the Department of Public Safety. He also attended an MML Energy & Environment committee meeting and discussed a House Bill regarding unclaimed bottle deposits.

Council Member Scott had no report.

REPORT BY CITY MANAGER

Unclaimed Bottle Deposit Funds

A resolution could be prepared for council approval at the next council meeting.

Fulton Street

There would be a neighborhood meeting regarding the Fulton Street reconstruction project at 5:30 p.m. this Wednesday at the Community Center. There will be significant traffic disruptions during this project.

Ottawa Sands Planning Meeting

Council Members Fritz and Dora and Mayor Monetza volunteered to attend a meeting at 10:00 a.m. – 12:00 p.m on March 11.
Sandbag Training

The US Army Corps of Engineers would be conducting training on how to fill sandbags for public assets on March 11 behind the Department of Public Safety from 6:00 p.m. – 8:00 p.m.

US Army Corps Open House

An open house would be held in Detroit on March 19. Council was asked to contact the City Manager’s Office if they were interested in attending.

March 25

The annual Capital Conference would be held in Lansing on March 25.

Frozen in Time

Main Street and its director were complimented on a great event.

GENERAL BUSINESS/CALL TO AUDIENCE

Mayor Monetza made a call to the audience, allowing audience members to address Council on any issue.

Mr. Walter Davis, 209 S. Third Street, said he appreciated communications from BLP General Manager Walters. If a generating plant were built on Harbor Island, it would be shameful.

ADJOURNMENT

After hearing no further business, Mayor Monetza adjourned the meeting at 10:23 p.m.

Robert Monetza, Mayor  
Linda L. Browand, City Clerk
### Attachment A

**City of Grand Haven**  
**Reconciliation of Payable & Cash**  
**Bill Memo Date:** 3/2/2020

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**Total**  
$55,666.72 $325,819.73 $196,013.87 $0.00 $579,999.32
National Library Week 2020
Proclamation

WHEREAS, today's libraries are less about what they have on the shelves and more about what they can do with and for their communities;

WHEREAS, libraries have long served as trusted and treasured institutions where people of all ages, interests and backgrounds can come together and learn alongside one another;

WHEREAS, libraries of all types are at the heart of their cities, towns, schools and campuses;

WHEREAS, libraries offer members of the community a welcoming space and opportunities to explore new passions through technology, programs and services;

WHEREAS, libraries and librarians help patrons find tools to help improve the quality of their life;

WHEREAS, libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy;

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve;

WHEREAS, libraries and librarians work to create an equitable society by providing free access to accurate information to all people;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational programming that transform lives and strengthen communities;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that we, the City of Grand Haven, proclaim National Library Week, April 19-25, 2020. During this time, I encourage all residents to visit the library, a place where we can all belong and discover who we are. Because of you, Libraries Transform.

Robert Monetta, Mayor

Michael D. Fritz, Council Member

Mike Dora, Council Member

Ryan Cummings, Council Member

Dennis Scott, Council Member
Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:
• You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:
• Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the City of Grand Haven council board
called to order by Mayor Monette on March 2, 2020 at 7:30 pm
(date)
the following resolution was offered:
Moved by Council Member Cummings and supported by Council Member Fritz

that the application from OCM Development LLC, a Michigan limited liability company
(name of applicant; if a corporation or limited liability company, please state the company name)
for the following license(s): New Class C license issued under the provisions of MCL 436.1521(a)(1)(b)
(list specific license(s) requested)
to be located at: 21 N. Beacon Boulevard, Grand Haven, MI 49417
and the following permit, if applied for:
☐ Banquet Facility Permit
Address of Banquet Facility:

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are

Vote
Yea: 5
Nay: 0
Absent: 0

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the council board at a regular meeting held on March 2, 2020
(regular or special)
(date)

Linda Browand
Print Name of Clerk

Signature of Clerk

(3/2/20)

Under Article IV, Section 40, of the Constitution of Michigan (1948), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole rights, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30585, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

LARA is an equal opportunity employer/program. Auxiliary aids, services, and other reasonable accommodations are available upon request to individuals with disabilities.
Regular City Council Meeting  
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Attachment D

CITY COUNCIL  
Adoption Copy

RESOLUTION AUTHORIZING NOTICE OF INTENT  
TO ISSUE REVENUE BONDS FOR  
ELECTRIC UTILITY FACILITIES, EQUIPMENT,  
AND SITE AND SYSTEM IMPROVEMENTS

NOTICE OF INTENT TO ISSUE BONDS

At a regular meeting of the City Council of the City of Grand Haven (the "City Council"), held on the 2nd day of March, 2020, at 7:30 p.m., Michigan Time.

PRESENT: Council Members Dora, Cummins, Scott, Fritz, and Mayor Monetza

ABSENT: NONE

The following Resolution and Preambles were offered by Council Member Scott and seconded by Council Member Dora.

WHEREAS, The City of Grand Haven, Michigan (the "City") provides in its City Charter that subject to the general direction of the Council, the Board of Light and Power of The City of Grand Haven, Michigan (the "Board") shall have charge of the City's electric services, and the Board operates facilities for the generation and distribution of electricity, including all plants, works, instrumentalities and properties used or useful in connection with the generation and distribution of electricity (the "System"); and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") permits the City to issue revenue bonds payable solely from the net revenues derived from the operation of the System (the "Revenue Bonds") in order to finance plants, works,
instrumentalities, and properties used or useful in connection with utility systems such as the System; and

WHEREAS, the Board has determined that it is or may become necessary for the public health, safety and welfare of the City and the users of the System to: disassemble and demolish the City's existing Sims plant and conduct environmental and general remediation and mitigation of the existing site; construct or renovate a System substation; construct, renovate and equip electric utility office and control facilities; acquire and install hot water heaters or other heat sources for use by the City's snow melt system; acquire and install automated meters; acquire, construct and install natural gas-fired reciprocating internal combustion engines to produce electricity, including all equipment and any appurtenances and attachments thereto; and make other improvements to the System (the "Project"); and

WHEREAS, issuance of Revenue Bonds as permitted by Act 94 in an amount not-to-exceed Seventy-Five Million Dollars ($75,000,000) appears to be the most practical means to finance the Project; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the Internal Revenue Service has issued Treasury Regulation § 1150-2 pursuant to the Internal Revenue Code of 1986, as amended, governing proceeds of debt used for reimbursement, pursuant to which the Board must declare official intent to reimburse expenditures with proceeds of such debt before making the expenditures;
NOW, THEREFORE, BE IT RESOLVED THAT:

(1) **Public Notice of Intent.** The City shall publish a notice of intent to issue the Revenue Bonds once as a display advertisement at least one-quarter (1/4) page in size in substantially the following form:

**NOTICE TO ELECTORS OF THE CITY OF GRAND HAVEN**
**OF INTENT TO ISSUE REVENUE BONDS FOR**
**ELECTRIC UTILITY FACILITIES, EQUIPMENT,**
**AND SITE AND SYSTEM IMPROVEMENTS**
**AND RIGHT TO PETITION FOR REFERENDUM**

PLEASE TAKE NOTICE that The City of Grand Haven, Michigan intends to authorize the issuance and sale of Revenue Bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, payable solely from revenues received by the Board of Light and Power ("Board") from the operations of the Electric Utility System (the "System"). The Revenue Bonds would be authorized in the maximum aggregate principal amount of not-to-exceed Seventy-Five Million Dollars ($75,000,000). A portion of the proceeds would be issued for the purpose of paying costs to: disassemble and demolish the City's existing Sims plant and conduct environmental and general remediation and mitigation of the existing site; construct or renovate a System substation; construct, renovate and equip electric utility office and control facilities; acquire and install hot water heaters or other heat sources for use by the City's snow melt system; acquire and install automated meters; acquire, construct and install natural gas-fired reciprocating internal combustion engines to produce electricity, including all equipment and any appurtenances and attachments thereto; and make other improvements to the System.

**SOURCE OF PAYMENT OF REVENUE BONDS**

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE solely from the net revenues received by the Board from the operations of the System. The revenues will consist of rates, fees and charges billed to the users of the System, a schedule of which is presently on file at [https://chhn.org](https://chhn.org). The rates, fees, and charges may from time to time be revised to provide sufficient net revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the Revenue Bonds and any other bonds of the System, and to pay other obligations of the System. The Revenue Bonds will not pledge the full faith and credit of the City. The Revenue Bonds will not be a general obligation of the City.

The Revenue Bonds may be issued in one or more series and may be combined with bonds issued for other purposes, and each series will mature in not to exceed thirty-five (35) annual installments with interest at such interest rate or rates to be determined at public or negotiated sale but in no event to exceed such rates as may be permitted by law. Bond anticipation notes may be issued to provide interim financing for a portion of the Project.
RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE REVENUE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK OF THE CITY OF GRAND HAVEN WITHIN FORTY-FIVE (45) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE. If a valid petition is filed, the Revenue Bonds cannot be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance. This notice is given pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION may be obtained at the administrative offices of the Board of Light and Power of The City of Grand Haven, Michigan, 1700 Eaton Drive, Grand Haven, Michigan 49417.

Renee Molyneux, Corporate Secretary
Board of Light and Power of The City of Grand Haven, Michigan

(2) Sufficiency of Notice. The City Clerk is hereby directed to publish the notice of intent in the Grand Haven Tribune, a newspaper of general circulation in the City qualified under State law to publish legal notices, which is hereby determined to be the newspaper that will reach the largest number of persons to whom the notice is directed. The Board hereby determines that the Notice of Intent and the manner of publication directed is the method best calculated to give notice to the electors of the City and the users of the System of the Board's intent to issue the Revenue Bonds, the purposes of the Revenue Bonds, the source of payment of the Revenue Bonds, and the right of referendum relating thereto.

(3) Statement of Intent under Treas. Reg. § 1.150-2. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(1) The City reasonably expects to reimburse itself for the expenditures described in (2) below with proceeds of debt to be incurred by the City.
(2) The expenditures described in this paragraph (2) are to pay certain costs associated with the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the debt from the funds of the System.

(3) As of the date hereof, the estimated maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is $17,000,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(4) A reimbursement allocation of the expenditures described in paragraph (2) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the either the Board or the City for a capital expenditure made pursuant to this Resolution.

(5) The expenditures for the Project are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(6) No proceeds of the borrowing paid to the Board or the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in paragraph (4) above.

(4) **Financial Advisor.** PFM is appointed Financial Advisor to serve the Board and the City as Financial Advisor for the Revenue Bonds, including any bond anticipation notes which the City might authorize in a future resolution.

(5) **Bond Counsel.** Dickinson Wright PLLC, Lansing, Michigan, is appointed to serve the Board and the City as bond counsel for the Revenue Bonds. The Board and the City acknowledge that Dickinson Wright PLLC has represented from time to time, and currently
CITY COUNCIL
CITY OF GRAND HAVEN
OTTAWA COUNTY, MICHIGAN

Council Member Cummins, supported by Council Member Dora, moved the adoption of the following Ordinance:

ORDINANCE NO. 20-04

AN ORDINANCE TO AMEND CHAPTER 9.5 - BUSINESS REGULATIONS, ARTICLE IV - MARIHUANA ESTABLISHMENTS OF THE CITY OF GRAND HAVEN CODE OF ORDINANCES

The City of Grand Haven Ordains:

Section 1. Addition. Sections 9.5-39 through 9.5-45 are added to Chapter 9.5, Article IV of the Code to state as follows:

Sec. 9.5-39. - Title.
Sections 9.5-39 through 9.5-45 shall be known and cited as the “Commercial Medical Marihuana Facilities Ordinance of the City of Grand Haven.”

Sec. 9.5-40. - Definitions.
The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

APPLICATION means an Application for a Permit under this Chapter and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be the proposed Permit Holder, who may also be referred to as the Applicant.

COMMERCIAL MEDICAL MARIHUANA FACILITY or FACILITY means one of the following:

(a) Provisioning Center, as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (MMFLA);
(b) Processor, as that term is defined in the MMFLA;
(c) Secure Transporter, as that term is defined in the MMFLA;
(d) Grover, including Class A, Class B and Class C, as those terms are defined in the MMFLA;
(e) Safety Compliance Facility, as that term is defined in the MMFLA.
DEPARTMENT means the Michigan State Department of Licensing and Regulatory Affairs or any designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Commercial Medical Marihuana Facility.

LICENSE means a current and valid License for a Commercial Medical Marihuana Facility issued by the Department. Prequalification, provisional licenses, or temporary licenses are not Licenses under this Chapter.

LICENSEE means a Person holding a current and valid Michigan License for a Commercial Medical Marihuana Facility.

MARIHUANA means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.

MEDICAL USE OF MARIHUANA means that term as defined in MCL 333.26423.

PARAPHERNALIA means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with the Medical Use of Marihuana.

PATIENT means a “qualifying patient” or a “visiting qualifying patient” as those terms are defined by the Michigan Medical Marihuana Act, Initiative Law 1 of 2008 (MMMA), MCL 333.26421, et seq.

PERMIT means a current and valid Permit for a Commercial Medical Marihuana Facility issued under this Chapter, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. The Permit shall be in addition to the special use permit required to be obtained under the City’s Zoning Ordinance.

PERMIT HOLDER means the Person that holds a current and valid Permit issued under this Chapter.

PERMITTED PREMISES means the particular building or buildings within which the Permit Holder will be authorized to conduct the Facility’s activities pursuant to the Permit.

PERMITTED PROPERTY means the real property comprised of a lot, parcel, or other designated unit of real property upon which the Permitted Premises is situated.

REGISTRY IDENTIFICATION CARD means the document issued to a Patient or a Primary Caregiver and defined under MCL 333.26423(m).

Sec. 9.5-41. - Permit Required; Number of Permits Available; Eligibility; General Provisions.

(a) The City authorizes the operation of the following types of Commercial Medical Marihuana Facilities, subject to the number of available Permits issued in this Section:

(1) Growers, Class A;
(2) Growers, Class B;
(3) Growers, Class C;
(4) Processors;
(5) Provisioning Centers;
(6) Safety Compliance Facilities; and
(7) Secure Transporters.

(b) The number of Commercial Medical Marihuana Facility Permits in effect at any time shall not exceed the following maximums within the City:

a. Grower Permits, Class A, Class B, and Class C: no limit
b. Processor Permits: no limit
c. Provisioning Center Permits: 4
d. Safety Compliance Facility Permits: no limit
e. Secure Transporter Permits: no limit

These limits are subject to change by Resolution of the City Council.

(c) No Person shall operate a Commercial Medical Marihuana Facility at any time or any location within the City unless a currently-effective Permit for that Person at that location has been issued under this Chapter.

(d) Commercial Medical Marihuana Facilities shall operate only as allowed under this Chapter.

(e) The requirements set forth in this Chapter shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes, or ordinances.

(f) An Applicant shall pay Application fees, annual fees, renewal fees and inspection fees for Permits to the City to defray the costs incurred by the City for inspection, administration, and enforcement of the local regulations regarding Commercial Medical Marihuana Facilities. The City Council shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law.

(g) A Permit and a Renewal Permit shall not confer any vested rights on the Applicant or Permit Holder, and shall remain valid for only one year immediately following its approval.

(h) Each year, any timely and fully completed pending Applications for renewal or amendment of valid, unexpired Permits shall be reviewed and granted or denied before Applications for new Permits are considered.

(i) It is the sole and exclusive responsibility of each Permit Holder or Person applying to be a Permit Holder at all times during the Application period and during its operation to immediately provide the City with all material changes in any information submitted on an Application and any other changes that may materially affect any License or its Permit.
No Permit issued under this Chapter may be assigned or transferred to any Person unless the assignee or transferee has submitted an Application and all required fees under this Chapter and has been granted a Permit by the Community Development Manager. No Permit issued under this Chapter is transferrable to any other location except for the Permitted Premises on the Permitted Property.

The original Permit issued under this Chapter shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement, and administrative authorities.

Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents, and employees for local law enforcement to conduct unannounced examinations of the Facility and all articles of property in that Facility during regular business hours or whenever the facility is occupied upon suspicion or complaint of illegal activity or permit violations.

A Permit Holder may not engage in any other Commercial Medical Marihuana Facility activity in the Permitted Premises or on the Permitted Property, or in the Permit Holder’s name at any other location within the City, without first obtaining a separate Permit.

Provisioning Centers shall post in a location that is easily seen by all patients and shall include a printed flyer in all orders the following information about State of Michigan resources regarding the possession, use and storage of marihuana: www.michigan.gov/marihuana or successor web site or resource.

Sec. 9.5-42. - Other Laws and Ordinances.

In addition to the terms of this Chapter, any Commercial Medical Marihuana Facility shall comply with all City Ordinances, including without limitation the City Zoning Ordinance, and with all other applicable federal, state, and local ordinances, laws, codes, and regulations. To the extent that the terms of this Chapter are in conflict with the terms of any other applicable federal, state, or local ordinances, laws, codes, or regulations, the terms of the most restrictive ordinance, law, code, or regulation shall control (except that the Medical Use of Marihuana shall be permitted, in accordance with this Chapter, unless enforcement action is taken under federal law by a federal law enforcement agency).

Sec. 9.5-43. - Application for and Renewal of Permits.

Application. An Application for a Permit for a Facility shall be submitted to the Community Development Manager per Permitted Premise, and shall contain the following information:

1. The name, address, telephone number, and e-mail address of the proposed Permit Holder and the proposed Commercial Medical Marihuana Facility.
The names, home addresses, and personal telephone numbers for all owners, directors, officers, and managers of the Permit Holder and the Commercial Medical Marihuana Facility.

One (1) copy of all the following:

(i) An official statement issued by the Department indicating that the Applicant has successfully completed prequalification for a License, if any. Copies of Entity/Individual Prequalification Packets and Supplemental Applicant Prequalification Packets or investigations conducted by the Department (if available) shall be provided.

(ii) All documentation showing the proposed Permit Holder's valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a notarized statement from the owner of such property authorizing the use of the property for a Commercial Medical Marihuana Facility. A property owner shall only enter into one (1) notarized statement per property with one (1) prospective Permit Holder for each applied-for Permit. All documentation establishing that the Permitted Premises and Permitted Property are within an overlay area with available permits.

(iii) If the proposed Permit Holder is a corporation, non-profit organization, limited liability company, or any other entity other than a natural person, it must indicate its legal status, attach a copy of all business or other organization formation documents (including amendments), proof of registration with the State of Michigan, and a certificate of good standing with the State of Michigan.

(iv) A valid, unexpired driver's license or state issued ID for all owners, directors, officers, and managers of the proposed Facility.

(v) Evidence of a valid sales tax license for the business if such a license is required by state law or local regulations.

(vi) Application for Sign Permit, if any sign is proposed.

(vii) Non-refundable Application fee.

(viii) Business and Operations Plan, showing in detail the Commercial Medical Marihuana Facility’s proposed plan of operation, including without limitation, the following:

1. A description of the type of Facility proposed and the anticipated or actual number of employees.
2. A security plan which shall include a general description of the security systems(s), current centrally alarmed and monitored security system service agreement for the proposed Permitted Premises, and confirmation that those systems will meet State requirements and be approved by the State prior to commencing operations.

3. A description by category of all products to be sold.

4. A list of Material Safety Data Sheets for all nutrients, pesticides, and other chemicals proposed for use in the Commercial Medical Marihuana Facility.

5. A plan for ventilation system for the medical marihuana facility. The building shall, at a minimum, be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through any exhaust vent will pass through an activated carbon filter. Negative air pressure shall be maintained inside the building so that odors shall not escape through traffic in and out of exit access doorways. There shall also be an established maintenance program to inspect the carbon filters regularly and to replace the filters per the manufacturer’s recommendations or every 365 days, whichever is less.

6. A plan for the disposal of Marihuana and related byproducts that will be used at the Facility.

(ix) An identification of any business that is directly or indirectly involved in the growing, processing, testing, transporting, or sale of Marihuana for the Facility.

(x) Whether any Applicant has ever applied for or has been granted, denied, restricted, suspended, revoked, or not granted renewal for any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction; and a statement describing the facts and circumstances concerning the application and any denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

(xi) Signed and sealed (by Michigan registered architect, surveyor, or professional engineer) site plan and interior floor plan of the Permitted Premises and the Permitted Property.

(xii) Information regarding any other Commercial Medical Marihuana Facility that the Applicant is authorized to operate in any other jurisdiction within the State, or another State, and the Applicant’s involvement in each Facility.
(xiii) Applicant and all related Persons consent to a background check conducted by the City or any agency used by the City to complete such checks.

(xiv) Completed Good Neighbor Plan on a form provided by the City and found by the Community Development Manager to be accurate and sufficient.

(xv) Applicant’s Certification on a form provided by the City restricting transfer of the Permit and subsequent renewed Permits, and restricting the transfer of any interest in the Permit Holder for a period of not less than 30 months after issuance of the Permit and License. This commitment shall be enforceable severally or jointly by the City against the Applicant, Permit Holder, and any members or shareholders thereof.

(4) Any other information reasonably requested by the City to be relevant to the processing or consideration of the Application.

(5) If the Community Development Manager identifies or is informed of a deficiency in an Application, the Applicant shall have five (5) business days to correct the deficiency after notification by the Community Development Manager.

(6) Information obtained from the Applicant or proposed Permit Holder is exempt from public disclosure to the extent so provided by state law.

(b) Receipt of Applications.

(1) The Community Development Manager may determine appropriate dates, times, and places to accept Applications for new Permits. Notice of the day, time, and place of such acceptance shall be given by publication twice in a newspaper of general circulation within the City, the first of which shall be at least ten (10) days before the date set to accept the Applications. The notice shall also be posted on the City’s website.

(c) Denial of Application.

(1) The Community Development Manager shall reject any Application that does not meet the requirements of the MIMFLA or this Chapter. The Community Development Manager shall reject any Application that contains any false, misleading, or incomplete information.

(2) An Applicant whose Application is rejected or denied because of missing, incomplete, erroneous, false, or misleading information, or because of a lack of submission of the full amount of the fees due, may appeal the denial to the City Manager, whose decision shall be the final administrative action on an application denial.

(d) Issuance of Conditional Approval.
(1) Complete Applications for a Commercial Medical Marihuana Facility Permit determined to be in full compliance with the requirements of this Chapter shall be issued conditional approval in accordance with the procedures specified in this Section.

(2) The Community Development Manager shall issue a conditional approval if:

(i) The background checks are complete and satisfactory;

(ii) All other information available to the City verifies that the Applicant as a grower, processor, provisioning center, safety compliance facility, or secure transporter has submitted a full and complete Application and is in compliance with this Code and any other applicable law, rule, or regulation.

(3) A conditional approval only means that the Applicant has submitted a valid Application for a Commercial Medical Marihuana Facility Permit and is eligible for the lottery.

(4) Within 30 days from the issuance of a conditional approval the Applicant shall submit proof to the City that the Applicant has submitted a full application for such License, unless such information was provided in the Application. If the Applicant fails to timely submit such proof, the conditional approval shall be void, the application denied, and any lottery position void.

(5) A conditional approval and any lottery selection shall be void if an Applicant is denied prequalification for a License or is denied a License. Such denial shall be provided immediately to the Community Development Manager by the Applicant.

(6) A conditional approval does not prevent the Community Development Manager from requesting additional documentation, as required or permitted under this Chapter.

(c) Lottery; Order of Special Use Permit Applications.

(1) After all Applications have been either granted conditional approval or denied the Community Development Manager shall then sort the Applications by the type of Facility permit requested. If there are more conditionally approved applications than available permits, then the following steps shall be followed to establish applicant eligibility.

(2) The Community Development Manager shall then sort applications by share of local ownership, with those applications demonstrating a minimum 33% local ownership stake (as evidenced by clear ownership documentation provided to the Community Development Manager such as partnership agreements, ownership stakes, tax bills, voting records and the like) classified as Lottery #1 and those not establishing a minimum 33% local ownership stake classified as Lottery #2.
(3) Each conditionally approved Application demonstrating minimum local ownership stake of 33% will be entered into Lottery #1 by Facility type to determine which Applications may submit special use permit applications. Each Facility type shall be drawn by random lottery as follows.

(i) For Provisioning Centers the Community Development Manager shall randomly draw the name or number of each Provisioning Center Applicant until all conditionally approved applications are drawn. The Applicants drawn may then apply for a special use permit.

(ii) For each other Facility type, the Community Development Manager shall randomly draw the name or number of the Applicants until all conditionally approved applications are drawn.

(iii) The number of special use permit applications submitted may not exceed the number of available Permits under this Chapter. In each Facility type, the number of Applicants drawn equal to the available Permits under this Chapter at the time of the lottery may apply for a special use permit. Applicants drawn after the number of available Permits will retain that lottery position as provided in this Chapter.

(iv) The Community Development Manager shall maintain a record of the lottery results and order of drawing for each Facility type until December 31 of the year in which the lottery occurred. Lottery positions do not confer any right to a Permit under this Chapter.

(v) All lottery drawings shall be conducted publicly by the Community Development Manager with the date and time published on the City’s website and all entrants provided notice.

(vi) Should there be available permits following the completion of Lottery #1 for all facility types, then the same process shall be employed, if necessary, as Lottery #2 to determine non-resident eligibility for application for a special use permit.

(3) All special use permit applications must be submitted within sixty (60) days of the lottery or notice under this sub-section. If the Applicant does not timely submit a special use permit application or a special use permit is denied, then the Community Development Manager may consult the lottery results and notify the next Applicant that they may apply for a special use permit.

(f) Renewal Application. The same requirements that apply to all new Applications for a Permit, except for special use permit and lottery requirements, shall apply to all Renewal Applications. Renewal Applications shall be submitted to and received by the Community Development Manager not less than ninety (90) days prior to the expiration of the annual Permit. A Permit Holder whose Permit expires and for which a complete Renewal Application has not been received by the expiration date shall be deemed to
have forfeited the Permit under this Chapter. The City will not accept Renewal Applications after the expiration date of the Permit.

(g) Issuance of Commercial Medical Marihuana Facilities Permit.

(1) An inspection of the proposed Commercial Medical Marihuana Facility by the City shall be required prior to issuance of the Permit. Such inspection shall occur after the potential Permitted Premises are ready for operation, but prior to the stocking of the business with any Marihuana, and prior to the opening of the Facility or commencement of operations. The inspection is to verify that the Facility is constructed and can be operated in accordance with the Application submitted and the applicable requirements of this Chapter, the special use permit, and any other applicable law, rule, or regulation.

(2) After verification the Facility is constructed and can be operated in accordance with the Application submitted and the applicable requirements of this Chapter, the special use permit, and any other applicable law, rule, or regulation, and the issuance of a permanent certificate of occupancy for the Facility, the Community Development Manager shall issue the Permit for a term of one (1) year.

(3) Maintaining a valid License is a condition for the issuance and maintenance of the Permit issued under this Chapter and the continued operation of any Facility.

(4) An Applicant or Permit Holder has a duty to notify the Community Development Manager in writing of any pending criminal charge, and any criminal conviction or any violation of a local law related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of Marihuana; the MMMA; the MMFLA; any building, fire, health or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing, or consumption of any form of Marihuana by the Applicant or Permit Holder, or any owner, principal officer, director, manager, or employee of the Applicant or Permit Holder, within ten (10) days of the event.

(h) Applications for new Permits where no building is as yet in existence. Any Applicant for a Commercial Medical Marihuana Facility Permit whose building is not yet in existence at the time of the City’s initial approval shall have one year immediately following the date of the City’s initial approval to complete construction of the building, in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules, or regulations, and to commence business operations.

(i) Duty to Supplement. If, at any time before or after a Permit is issued pursuant to this Chapter, any information required in the Application, the MMFLA, or any rule or regulation promulgated thereunder, changes in any way from that which is stated in the Application, the Applicant or Licensee shall supplement such information in writing within ten (10) days from the date upon which such change occurs.

(j) Permit Forfeiture. In the event that a Commercial Medical Marihuana Facility does not commence operations within one (1) year of issuance of a Permit, the Permit shall be
deemed forfeited; the Facility may not commence operations and the Permit is not eligible for renewal.

Sec. 9.5-44. - Operational Requirements – Commercial Medical Marihuana Facilities.

A Commercial Medical Marihuana Facility issued a Permit under this Chapter and operating in the City shall at all times comply with the following operational requirements, which the City Council may review and amend from time to time as it determines reasonable.

(a) **Scope of Operation.** Commercial Medical Marihuana Facilities shall comply with all respective applicable codes of the local zoning, building, fire, and health departments. The Facility must hold a valid unexpired Permit and License for the type of Commercial Medical Marihuana Facility intended to be carried out within the Permitted Premises on the Permitted Property. The Facility operator, owner, Permit Holder, or Licensee must have documentation available that local and State sales tax requirements, including holding any licenses, if applicable, are satisfied.

(b) **Required Documentation.** Each Commercial Medical Marihuana Facility shall be operated from the Permitted Premises on the Permitted Property. No Commercial Medical Marihuana Facility shall be permitted to operate from a moveable, mobile, or transitory location, except for a Permitted and Licensed Secure Transporter when engaged in the lawful transport of Marihuana. No Person under the age of eighteen (18) shall be allowed to enter into the Permitted Premises without a parent or legal guardian.

(c) **Amount of Marihuana.** The amount of Marihuana on the Permitted Property and under the control of the Permit Holder of the Facility shall not exceed that amount permitted by the License or the Permit.

(d) **Permits.** All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Permitted Premises in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, harvesting, or testing of Marihuana are located.

(e) **Indoor Operation.** All activities of Commercial Medical Marihuana Facilities, including without limitation, distribution, growth, cultivation, or the sale of marihuana, and any other related activity permitted under the permit holder’s License or Permit must occur indoors. The Facility’s operation and design shall minimize any impact to adjacent uses, including the control of odors by maintaining and operating an air filtration system so that odors do not unreasonably impose or create a nuisance to neighboring property occupants.

(f) **Transportation.** Marihuana may be transported by a Secure Transporter within the City under this Chapter, and to effectuate its purpose, only:

1. By Persons who are otherwise authorized by state law to possess Marihuana for medical purposes;
(2) In a manner consistent with all applicable state laws and rules, as amended; and

(3) In a secure manner designed to prevent the loss of the Marihuana.

(4) No vehicle used for the transportation or delivery of Marihuana under this Chapter shall have for markings the words “Marihuana,” “cannabis,” or any similar words; pictures or other renderings of the Marihuana plant; advertisements for Marihuana or for its sale, transfer, cultivation, delivery, transportation, or manufacture, or any other word, phrase, or symbol indicating or tending to indicate that the vehicle is transporting Marihuana.

(5) No vehicle may be used for the ongoing or continuous storage of Marihuana, but may only be used incidental to, and in furtherance of, the transportation of Marihuana.

(g) Additional Conditions. The Community Development Manager may impose such reasonable terms and conditions on a Commercial Medical Marihuana Facility special use as may be necessary to protect the public health, safety, and welfare, and to obtain compliance with the requirements of this Chapter and applicable law.

Sec. 9.5-45. - Penalties and Consequences for Violation.

In addition to any other penalties or legal consequences provided under applicable federal, state, and local law, regulations, codes, and ordinances, violations of this Chapter shall be subject to the following.

(a) Violations of the provisions of this Chapter or failure to comply with any of the requirements of this Chapter shall be subject to and found responsible for a municipal civil infraction. The fine for any municipal civil infraction shall be one thousand dollars ($1,000.00) plus court costs, attorney fees, and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, et seq. Each day a violation continues shall be deemed a separate municipal civil infraction.

(b) Increased civil fines shall be imposed for repeated violations of any requirement of this Chapter. As used in this subsection, the term “repeat offense” means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision committed within any six (6) month period and found to be responsible. The increased fine for a repeat offense shall be as follows:

(1) The fine for any offense which is a first repeat offense shall be two thousand five hundred dollars ($2,500).

(2) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be five thousand dollars ($5,000).

(c) Revocation.
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(1) A Permit issued under this Chapter may be denied, limited, revoked, or restricted under any of the following conditions:

(i) Any fraudulent, false, misleading, or material misrepresentation contained in the Application;

(ii) Repeat violations of any requirements of this Chapter or other applicable law, rule, or regulation (as used in this subsection, the term “repeat offense” means a second or any subsequent misdemeanor violation or civil infraction of the same requirement or provision committed within any six (6) month period and upon conviction or responsibility thereof);

(iii) A valid License is not maintained as required by this Chapter; or

(iv) The Permit Holder or any designee of the Permit Holder failed to timely submit any document or failed to timely make any material disclosure as required by this Chapter.

(2) If a Permit is revoked, limited, or restricted under this Chapter, the Community Development Manager shall issue a notice stating the revocation, limitation, or restriction including the reason for the action and providing a date and time for an evidentiary hearing before the City Council.

(d) The owner of record or tenant of any building, structure, or premises, or part thereof, and any architect, builder, contractor, agent, or Person who commits, participates in, assists in, or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and fines provided in subsections (1) and (2) of this section, except as excluded from responsibility by state law.

(e) In addition to any other remedies, the City may institute proceedings for injunction, mandamus, abatement, or other appropriate remedies to prevent, enjoin, abate, or remove any violations of this Chapter. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence, or forfeiture shall not exempt the violator from compliance with the provisions of this Chapter.

Section 2. Effective Date. This ordinance shall become effective 20 days after its adoption or upon its publication, whichever occurs later.

YEAS: Fritz, Dora, Cummins, and Monetza

NAYS: Scott

ABSTAIN: NONE

ABSENT: NONE

Approved: March 2, 2020
CERTIFICATION

I certify this true and complete copy of Ordinance No. 20-04 adopted at a Regular Meeting of the Grand Haven City Council held on March 2, 2020.

Linda L. Browand, City Clerk

Introduced: February 3, 2020
Adopted: March 2, 2020
Published: March 10, 2020
Effective: March 22, 2020