

THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING MINUTES OF THE CITY COUNCIL
Tuesday, January 3, 2017
DOUGLAS CITY HALL COUNCIL ROOM
86 W. CENTER STREET, DOUGLAS, MI
7:00 PM

1. **Call to Order** – Mayor Wiley called the meeting to order at 7:00 PM.
2. **Roll Call** – Members present: Anderson, Greenwood, Harvath, Lion, Mooradian, Seabert, Wiley
Members absent/excused: None
Also present: Manager LeFevere, Treasurer Drexler, City Clerk Neve.
3. **Pledge of Allegiance – Mayor**
4. **Consent Calendar**
 - A. Approval of Agenda for January 3, 2017
 - B. Approval of Regular Council Meeting Minutes of December 19, 2016

Motion by Harvath with support from Greenwood to approve the consent calendar as presented.
Motion carried unanimously by roll call vote.

5. **Approval of Invoices**

Motion by Harvath with support from Mooradian to approve invoices dated January 3, 2017 in the revised amount of \$47,843.90.
Motion carried unanimously by roll call vote.
6. **Appointments/Resignations/Proclamations**
 - A. Retiring Police Chief Ken Giles gave the oath of office to Interim Chief Steve Kent.

7. **Public Communications**
 - A. Verbal (Limit of three (3) minutes on agenda items only)
 1. Adam Mendes, 3431 Clearbrook, commented on medical marijuana law and licensing indicating he planned to build a business to supply medicinal marijuana.
 - B. Written Communications
 1. Notice from Michigan Liquor Control Commission RE: Transfer interest in License Type Microbrewer and Small Wine Maker (Saugatuck Brewing Company, Inc.)
Council asked what the transfer involves.
 2. Interurban Transit Authority Board Meeting Minutes from November 15, 2016
Communications noted as received and filed.

8. **Unfinished Business**
 - A. Discussion and update on Medical Marijuana Operations / Licensing – Imus
Due to more recent court decisions our current ordinance is unenforceable. A caregiver, with State licensing can grow up to 72 plants for up to 5 patients plus themselves, in any zoning district, with no regulation from the city. 2016 laws went into effect in December but cannot be enforced until December 20, 2017. The 2016 laws regulate more of the commercial aspects with five types of activities to a commercial operation. Cities may choose which types to allow or reject them all. With the status of our current ordinance, we may want to repeal it.
Greenwood with support from Anderson made a motion to repeal Ordinances 4-2013 and Ordinance 5-2013 (entire Chapter 113 of Code of Ordinances).

LeFevere and Imus suggested waiting until the next meeting so a formal resolution could be prepared.

Greenwood with support from Seabert moved to table the motion to repeal until the January 16th meeting.

Anderson suggested having the Planning Commission get started studying the new law and council could make some recommendations as to what they would like to see. We need to work together, study and investigate.

Imus related she would bring the subject up to the Planning Commission at their next meeting on Wednesday, January 11th.

- B. Update on Tower Marine lawsuit – LeFevere
Still waiting on volume calculations from Tower Marine but Nederveld Engineering is finished with a topographical survey of the spoils pile.

9. New Business

- A. Motion by Harvath with support from Greenwood to adopt Resolution No. 01-2017 declaring City of the Village of Douglas property surplus and authorizing disposition. (2008 Ford Explorer Police vehicle)
Motion carried unanimously by roll call vote.

10. Reports

A. Commission / Committee / Board Reports

1. Planning Commission - Imus
Will be meeting Wednesday, January 11th.
2. Kalamazoo Lake Sewer and Water Authority-LeFevere, Hoexter
No meeting.
3. Kalamazoo Lake Harbor Authority – Greenwood
Jon Helmrich has resigned as the representative from the Township.
Felicia Fairchild also resigned as the representative at-large due to her retirement. The two cities will be considering a new appointee to fill the at-large position.
4. Downtown Development Authority – Wiley
Meeting scheduled for Tuesday, January 10th.
5. Police Commission – Harvath, Anderson
No meeting.
6. Fire District Board – Mooradian, Christiansen
No meeting.

B. Staff Reports

1. **Community Development / Planning / Zoning** - Imus
Nothing further.
2. **Finance / Budget** – Drexler
No report/
3. **City Clerk** – Neve
 - a. Website
Will be looking at proposals for new website.

4. **Manager's Report / Comments - LeFevere**
Received notice from MDEQ that application was received for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas.

11. **Public Communications - Verbal (Limit of three (3) minutes on general business of the City)**
Adam Mendes, Clearbrook Dr., again spoke to offer his assistance in creating a marijuana ordinance. He has spent much time studying and talking with attorneys.

12. **Council Comments**
Seabert: Hope everyone had a nice holiday. Would like to be more progressive on road repair schedule and be ahead of things in the Spring.

Lion: Would like responses on two issues that were brought up at previous meetings. Audit and South Street.

Harvath: Asked where Christmas trees could be disposed of. (Annual drop off at Schultz Park).
Will be meeting tomorrow with the lighting committee to discuss when holiday lighting is coming down.

13. **Mayor's Report / Comments – Wiley**
Will miss the next two meetings.

14. **Closed Session**
Motion by Harvath with support from Anderson to go into closed session in accordance with the provisions of Section 8 of the Open Meeting Act for the purpose of consulting with the City Attorney regarding pending litigation.
Motion carried unanimously by roll call vote at 8:09 p.m.

Motion by Greenwood with support from Seabert to end the closed session and return to the regular meeting at 8:53 p.m.
Motion carried.

15. **Adjournment – Meeting adjourned at 8:53 p.m.**

Respectfully submitted by:

Jean E. Neve, CMC
City of the Village of Douglas Clerk

Approved by: _____
Greg Harvath, Mayor Pro Tem

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on January 3, 2017. I further certify that the meeting was duly called and that a quorum was present.

Jean E. Neve, City Clerk

Date