

**Regular** Council Meeting of the City of Melvindale held in the Council Chambers on Wednesday, March 16, 2011, at 7:30 pm.

The meeting was called to order by Mayor Cadez and roll call was taken:

PRESENT COUNCIL MEMBERS: Striz, Herman, Bolton, Rowe, Hess, Alvarado.

**ALSO PRESENT:** Valerie A. Cadez, Mayor; John K. Kessey, Treasurer; Paul L. LaManes, City Administrator; Joe Couvreur, Asst. Corporation Counsel; Rick Cadez, Police Chief; Dan Wilhelm, Fire Chief; Randy Burns, DPW Director; Laura Irvin, Director of Parks & Recreation; Ryan Massolia, Senior and Recreational Director; Teresa Kirk, Housing Director.

Norine Peeples, City Clerk was absent and is excused.

The Pledge of Allegiance was led by Mayor Cadez and invocation was led by Mayor Pro Tem Stacy Striz.

**11-03-048** Moved by Rowe and supported by Alvarado to approve the *Regular* Council Meeting minutes dated March 2, 2011.

Passed Unanimously

**11-03-049:** Moved by Herman and supported by Bolton to remove from the table the Marijuana Moratorium.

Passed Unanimously

**11-03-050:** Moved by Bolton and supported by Striz to adopt the following resolution:

**A RESOLUTION TO EXTEND THE TEMPORARY MORATORIUM UPON THE ISSUANCE OF PERMITS, LICENSES AND ZONING APPROVALS FOR THE SALE OR DISPENSATION OF MEDIAL MARIJUANA**

**WHEREAS**, the a moratorium was adopted on October 6, 2010; and

**WHEREAS**, the state legislature has yet to provide any guidance or legislation to guide municipalities in addressing the many issues arising out of the Michigan Medical Marijuana Act and controversy continues to exist as to the appropriate manner to address such issues ; and

**WHEREAS** allowing the sale or dispensation of medical marijuana prior to the amendment of the zoning ordinance continues to be contrary to the City of Melvindale's ordinances, federal law, state law as the mere possession of marijuana remains a

misdemeanor offense, (MCL 333.7403(2)(d), and the manufacturer of marijuana remains a felony, (MCL 333.7401(2)(d); and

WHEREAS, the City of Melvindale desires to ascertain the best and safest path to compliance with the Michigan Medical Marijuana Act, P.A. 2008, Initiated Law, MCL 333.2642(3)(d) in order to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED THAT the moratorium imposed upon the issuance of any and all permits, licenses and zoning approvals for the sale or dispensation of medical marijuana is extended for 10 months or until an amendment of the Zoning Ordinance and other applicable codes, whichever occurs first.

*Council members Stacy Striz and Jeff Bolton have agreed to continue to monitor any developments pertaining to the standing moratorium.*

Passed Unanimously

Receive and place on file the retirement letter to Mary Jo Frame.

Audience Participation was offered.

**11-03-051:** Moved by Herman and supported by Striz to receive and place on file the invoices and cover sheet and to authorize the payment of the invoices totaling \$339,059.45 and the electronic transfers totaling \$3,707.54

Passed Unanimously

**11-03-052** Moved by Bolton and supported by Rowe to concur with the Planning Commission and grant GLE Scrap Metal/GLEC special approval use of property at 25435 Outer Drive for metal scrap recycling (ferrous and non-ferrous metals) in an M-2 zone subject to and contingent upon the applicant satisfying the requirements as outlined in Planning Commission resolution PC 11-14.

Passed Unanimously

**11-03-053:** Moved by Rowe and supported by Bolton to concur with the recommendation of the Zoning Board of Appeals and grant the following variances for the property located at 25435 Outer Drive for GLE Scrap Metal/GLEC as outlined in the following Zoning Board of Appeals resolutions:

**ZBA 11-2:** Lot Size Variance

**ZBA 11-3:** Masonry Wall Variance

**ZBA 11-4:** To permit the narrow driveway to remain gravel

YEAS: Herman, Bolton, Rowe, Hess, Alvarado

NAYS: Striz

**11-03-054:** Moved by Rowe and supported by Alvarado to concur with the Planning Commission and approve the Site Plan as amended and approved by The Planning Commission on March 14, 2011.

Passed Unanimously

**11-03-055:** Moved by Striz and supported by Alvarado to authorize the proposed water and sewer rate increases effective April 1, 2011.

Passed Unanimously

**11-03-056:** Moved by Rowe and supported by Alvarado to authorize the 2nd reading of Ordinance #755:

**ORDINANCE NO. 755**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MELVINDALE BY THE REPEAL AND READOPTION OF SECTION 23-51 "NOXIOUS WEEDS; DEAD, DANGEROUS, OR DECAYED TREES" OF ARTICLE III, "NOXIOUS WEEDS", IN CHAPTER 23 "VEGETATION" TO REQUIRE CLEAN UP OF WEEDS AND GRASS CLIPPINGS FROM ADJOINING SIDEWALKS AND STREETS.

Passed Unanimously

**11-03-057:** Moved by Rowe and supported by Herman to adopt Ordinance #755.

Passed Unanimously

Receive and place on file the monthly overtime reports.

**11-03-058:** Moved by Striz and supported by Bolton to forego placing the existing water bill on the 2010 tax bill for James Hamilton of 2394 Corbin, for his rental home located at 18537 Reed, Melvindale.

Passed Unanimously

**11-03-059:** Moved by Striz and supported by Alvarado to adjourn into a closed session at 8:35 pm.

Passed Unanimously

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Mayor Valerie A. Cadez

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Norine Peoples, City Clerk

