

Regular Council Meeting of the City of Melvindale held in the Council Chambers on Wednesday, October 6, 2010, 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; Norine Peeples, City Clerk; 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 was absent and is excused.

The Pledge of Allegiance and invocation was led by Mayor Cadez.

10-10-201 Moved by Bolton and supported by Striz to approve the *Regular* Council Meeting minutes dated September 15, 2010.

Passed Unanimously

10-10-202: Moved by Rowe and supported by Herman to concur with the recommendation of the Public Safety Commission Res. #10.09.01 to approve the request to purchase 40 new glock weapons at the cost of \$14,400 minus trade in value, to be paid for using drug forfeiture funds.

Passed Unanimously

10-10-203: Moved by Striz and supported by Bolton to concur with the recommendation of the Public Safety Commission Res. #10.09.14 to approve the purchase a 2010 Ford Crown Victoria Patrol vehicle from Gorno Ford in the amount of \$26,510.00, to be paid for using drug forfeiture funds.

Passed Unanimously

10-10-204: Moved by Bolton and supported by Rowe to concur with the recommendation of the Public Safety Commission Res. #10.09.11 to approve the color change in supervisor's uniform shirts at no cost to the city.

Passed Unanimously

Audience Participation was offered.

10-10-205: 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 \$300,351.23 and the electronic transfers of \$ 1,227.40.

Passed Unanimously

10-10-206: Moved by Bolton and supported by Rowe to approve the request of DPW Director, Randy Burns, to extend the employment of the temporary employees through November 26, 2010.

Passed Unanimously

10-10-207: Moved by Alvarado and supported by Herman to authorize the 2nd reading by title only:

ORDINANCE NO. 752

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF MELVINDALE BY THE REPEAL AND READOPTION OF SECTION 22-56(d) “LIEN; ASSESSMENT” OF ARTICLE II “WATER AND SEWERS” IN CHAPTER 22 “UTILITIES” TO INCREASE THE DEPOSIT FOR WATER AND SEWAGE SERVICE.

Passed Unanimously

10-10-208: Moved by Herman and supported by Alvarado to adopt Ordinance #752.

Passed Unanimously

10-10-209: Moved by Bolton and supported by Rowe to authorize the 1st reading by title only:

ORDINANCE NO. 753

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF MELVINDALE BY THE REPEAL AND RE-ADOPTION OF SECTION 21-4, “MICHIGAN VEHICLE CODE” OF ARTICLE I “IN GENERAL” IN CHAPTER 21 “TRAFFIC AND MOTOR VEHICLES” TO ALLOW FOR THE PENALTY PROVISION TO BE INCREASED PURSUANT TO STATE LAW.

Passed Unanimously

10-10-210: Moved by Striz and supported by Alvarado to approve the Moratorium Resolution regarding Medical Marijuana;

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

WHEREAS, the sale or dispensation of medical marijuana was not envisioned when the current zoning ordnance and any amendments where adopted and is not regulated in any way; and

WHEREAS, allowing the sale or dispensation of medical marijuana prior to the amendment of the zoning ordinance would 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 a moratorium is imposed upon the issuance of any and all permits, licenses and zoning approvals for the sale or dispensation of medical marijuana for six (6) months or until an amendment of the Zoning Ordinance and other applicable codes, whichever occurs first.

Passed Unanimously

10-10-211: Moved by Alvarado and supported by Rowe to approve the request for a public hearing regarding the estimated costs and expenses of police and fire protection, the amount of the special assessment levy for such police and fire protection and for the distribution of the special assessment levy.

Passed Unanimously

10-10-212: Moved by Striz and supported by Rowe to approve the retirement payout to Eric Witte in the amount of \$24,336.39.

Passed Unanimously

10-10-213: Moved by Striz and supported by Alvarado to approve the retirement payout to Lynda Loewe in the amount of 7,765.93.

Passed Unanimously

10-10-214: Moved by Rowe and supported by Alvarado to approve the request from Patrolman Michael Welch to buy one year of service time towards retirement. This purchase will be funded based on current MERS assumptions completely by Mr. Welch.

Passed Unanimously

10-10-215: Moved by Bolton and supported by Rowe to table the Mayoral nomination of Randall Burns as DPW Director.

Passed Unanimously

10-10-216: Moved by Rowe and supported by Alvarado to concur with the Downtown Development Authority and approve the appointment of Paul LaManes to DDA Director effective October 4, 2010, serving at the will and pleasure of the authority and to remain at the established annual salary of \$7,000.

Passed Unanimously

10-10-217: Moved by Alvarado and supported by Rowe to adjourn at 8:45pm.

Passed Unanimously

Mayor Valerie A. Cadez

Norine Peebles, City Clerk