

**PROCEEDINGS
OF
CITY COUNCIL SPECIAL MEETING
OF THE
CITY OF LOWELL
MONDAY, NOVEMBER 28, 2018, 4:00 P.M.**

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL.**

The Special Meeting was called to order at 4:00 p.m. by Mayor DeVore and City Clerk Sue Ullery called roll.

Present: Councilmembers Marty Chambers, Jim Salzwedel and Mayor DeVore, Councilmember Canfield.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Sue Ullery, Chief of Police Steve Bukala and City Attorney Dick Wendt.

2. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL to approve the agenda as written.

YES: Councilmember Canfield, Mayor DeVore, Councilmember Salzwedel, and Councilmember Chambers.

NO: None. ABSENT: None. MOTION CARRIED.

3. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.**

There was none.

4. **ACTION ON THE CONSIDERATION OF COMMERCIAL RECREATIONAL MARIJUANA FACILITIES IN THE CITY OF LOWELL.**

City Manager Michael Burns explained on November 6, 2018, voters in the State of Michigan approved Proposal 1. There's a provision in the statute in the approved ballot language of Proposal 1 that was approved by the Board of Canvassers on November 26, 2018 for the consideration to allow commercial recreational marijuana facilities within the City of Lowell. The other portion of the proposal that allows a person to have the right to possess, transport and use marijuana within their own home with parameters is not part of today's discussion. Burns continued as of right now, the City of Lowell is opted in, you would have to formally opt out. If we are to stay opted in, there are areas in the city where you can and cannot have an facility. There cannot be a facility located within 1000 feet of a school nor can it be in a residential neighborhood.

Police Chief Steve Bukala then explained the areas in the City of Lowell where the marijuana facilities could potentially be located.

City Attorney Dick Wendt then explained Proposal 1 in detail.

Mayor Devore then opened the floor to public comments.

Christa Wetzal who resides at 829 Monroe spoke not in favor of opting in.

Jim Hodges 422 N Jefferson spoke in favor of opting in.

David Overhaul who lives outside the community spoke in favor of opting in.

Roy Schmidt who is from Grand Rapids but has kids that reside in Lowell spoke in favor of opting in.

Derek Divine who resides at 1218 Valley Vista spoke in favor of opting in.

Debbie Miller Nieto who resides at 172 South Center spoke in favor of opting in.

Gary Stevenson who used to be a City of Lowell resident spoke in favor of opting in.

Cliff Yankovich who lives at 329 N Monroe asked what the vote margin was for Proposal 1 passing in the City of Lowell.

Brenda Skir who resides at 538 Flat River Drive spoke not in favor of opting in.

Matthew Silverman who resides at 125 South Division spoke in favor of opting in.

Mayor DeVore read a letter from Lisa Plank who resides at 411 North Washington who was not in favor of opting in.

City Clerk Sue Ullery read letters from the following:

Dan Williams who resides at 1815 Veronica St wrote in favor of opting in.

Cassandra Williams who resides at 1815 Veronica St wrote in favor of opting in.

Ryan Schaner who resides in Lowell Township wrote in favor of opting in.

Brett Pnazek wrote in support of opting in and did not state his residence.

Alfred Thomet who resides at 412 N. Division phoned not in favor of opting in.

Donna Smit who resides at 194 Valley Vista phoned not in favor of opting in.

James & Elizabeth Pfaller who resides at 810 Bowes St wrote not in favor of opting in.

Al Eckman who resides at 725 Bowes Rd Apt K6 wrote not in favor of opting in.

James Doyle who is Senior Vice President of King Milling Company wrote not in favor of opting in.

Jim Reagan who owns a business and resides here in Lowell spoke not in favor of opting in.

Councilmember Canfield thanked everyone for coming out tonight and questioned the City Attorney on the sales tax that would come from the dispensaries. He stated he has listened and heard some interesting perspectives, feels that it is pretty close to 60% support it and 40% are against it and the numbers are fairly consistent. He cares about the community and feel he needs to listen to the voters and that this is a tough decision to make.

Councilmember Chambers stated he has been keeping track of the people who spoke tonight and it has come up to almost dead even for and against. Does not think it should be downtown. Just doesn't know yet.

Councilmember Salzwedel stated the black market will never go away but hopes that maybe it would slow it down. He himself has always been a component of legalizing marijuana and now sitting on the City Council has given him a different perspective of what the needs of the city are. The residents did speak and he is ready to vote.

Mayor DeVore stated the black market will never go away and opting in doesn't mean it is going to be on every corner. Does not believe it will be a financial windfall. He just does not want it in downtown and he is just not sure.

City Manager Michael Burns reminded them the City of Lowell is opted in right now.

Mayor DeVore asked if anyone would like to make a motion for Emergency Ordinance and there was not.

IT WAS MOVED BY CHAMBERS and noone seconded to adopt Ordinance 18-07. MOTION DIED.

5. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn at 5:15 pm.

YES: 4. NO: None. ABSENT: None. MOTION CARRIED.

Date:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk