

**VILLAGE COUNCIL MINUTES
REGULAR MEETING**

August 6th, 2018

The Vanderbilt Village Council held its regular mtg. on **Monday, August 6th, 2018** at the Village Hall. The Council was called to order by President C. Boone at 7 p.m. and was opened with the Lord's Prayer followed by the Pledge of Allegiance.

Council Present: C. Boone, R. Bush, R. Cherwinski, R. Cottrell, T. Heintz, R. McMaster & R. Musall

Others Present: Clerk/A. Deeter, Treasurer/T. Cherwinski - Treasurer, Zoning -Admin./ J. Yurack, Township Clerk/D. Whitman, County Commissioner/ P. Liss

MOTION by Bush supported by R. Cherwinski to approve the Consent Agenda. Vote: Ayes 6 Nays: 0. Motion Carried.

Public Comments:

S. Boyd (Village resident) spoke against the Medical Marj. Facilities Act and concerns on the impact of the community.

P. Sides: (Village resident) spoke against the Medical Marj. Facilities Act and concerns on the impact of the community

A. Deeter (Vanderbilt resident) Concerned about information being disseminated to the council members and citizens relating to Medical Marj. & how important it is to ensure information received is factual and from credible sources. Current information was provided to the Council containing VA and DOD guidelines pertaining to Medical Marj.; information provided was obtained from the VA & DOD Official Websites effect 8/6/18.

Commissioners Report – The County purchased the Royal Crest Hotel utilizing delq. tax fund. Trading Post is up for bid. Kirtland & Animal Shelter millages are up for renewal. Construction has begun on the OTC Trailhead. More grants have been requested.

Presidents Report – The recycling area continues to have problems with unknown individuals dumping trash in area. Several suggestions were made to add security cameras, so individuals can be held responsible and fined accordingly.

Clerk – Bids for the Trailhead project have been received. Bids are currently being reviewed by our engineer to ensure all items have been included in the bid. If approved, bids will be presented at the Township for approval. H & H Tube will be holding a ribbon cutting ceremony for the expansion project. The date is still to be determined. Request to purchase track phones for Code Enf. & Zoning Adm. (to be used for official use only) Motion by Boone, supported by Bush to purchase 2 phones including minutes/not to exceed \$300.00. All in Favor; Motion held.

Street Administrators – Cheboygan St. Project has been completed. Tree trimming/removal has been completed for now. The cost will be less due to less trimming than originally planned. There are in additional trees that need to be addressed and will need to be addressed in the next year's budget. New bids will go out for this tree project.

School Board Liaison – Report provided. School board appt. two new teachers hired. Seeking bids for food service provider.

Total of all Checking Accounts	\$694,928.99
Total of all Revenue	\$39,752.65
Total of all CD's	\$86,156.48
Total of all Accounts	\$781,085.47

July Labor Due To's in the amount of \$775.48 from Major Street Fund; Local Street Fund \$823.24; Rental Due To's in the amount of \$3240.31 (Major: \$1460.27; Local \$1282.57; GF \$497.47 & Parks & Rec. \$458.92); amounts to be paid at settlement.

Payment of Bills - in the amount of \$74,043.34; **Note:** This amount includes the payment of the Cheboygan Street project of \$63,240.00.

Old Business:

The Medical Marijuana Facilities Act

MOTION by Bush; supported by T. Heintz to support RESOLUTION 2018-5 Whereas the Village of Vanderbilt declines (OPT's out) of adopting an ordinance authorizing any of the five types of medical marihuana facilities within the Village of Vanderbilt. Therefore, a marijuana facility shall not operate in the Village of Vanderbilt.

Ayes: Boone (Sayles); Bush, Cherwinski, Heintz & McMaster

Nays: Cottrell & Musall Motion passed.

Motion by Boone; supported by Cottrell to approve *License to access and use property for gardening agreement* between Holy Redeemer & the Village of Vanderbilt. All in Favor; Motion passed.

Public Comment:

New flags are needed for the Memorial Park. Suggestion that new holiday decorations are purchased for the Village Streets; as the old ones are looking pretty dated.

Meeting adjourned at the Call of the Chair at 7:57pm

AnnaMarie Deeter

Clerk/Office Manager - *Approved Minutes*

Village of Vanderbilt

Otsego County, Michigan

Resolution Regarding Medical Marihuana Facilities Act

Authorized by PA 281 of 2016

Resolution No. 2018-5

August 6, 2018

WHEREAS, Public Act 281 of 2016 (MCL 333.27101 et. Seq.) authorizes the State of Michigan to license five different types of facilities related to medical marihuana (grower, processor, secure transporter, provisioning center, and safety compliance facilities); and

WHEREAS, Section 205 of PA 281 of 2016 (MCL 333.27205) provides that" (a) Marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility; and

WHEREAS, Section 205 of PA 281 of 2016 further provides that "(a) municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations..." and

WHEREAS, Section 205 of PA 281 of 2016 requires municipalities to respond to the State of Michigan, Medical Marihuana Licensing Board, within 90 days after the municipality receives notification from the applicant that a license for one of the five types of medical marihuana facilities authorized by Section 205 of PA 281 of 2016 has been applied for; and

WHEREAS, the Village Council of the Village of Vanderbilt, County of Otsego, Michigan is cognizant of its authority to adopt an ordinance or ordinances to authorize the operation of one or more of the five types of medical marihuana facilities authorized by Section 205 of PA 281 of 2016 but desires not to do so.

NOW THEREFORE it is hereby resolved as follows:

1. The Village of Vanderbilt, County of Otsego, Michigan declines to adopt an ordinance authorizing any of the five types of medical marihuana facilities within the Village of Vanderbilt authorized by PA 281 of 2016, and
2. As a result of the Village of Vanderbilt declination to adopt an ordinance authorizing any of the five types of medical marihuana facilities authorized by PA 281 of 2016, a "marihuana facility shall not operate in the Village of Vanderbilt"; and
3. The Village of Vanderbilt Clerk/or Village of Vanderbilt Zoning Administrator is authorized to provide a copy of this resolution to the State of Michigan, Medical Marihuana Licensing Board in response to a request to locate a medical marihuana

facility authorized by PA 281 of 2016 within the Village of Vanderbilt or for any other reason authorized by or in response to a request from the States of Michigan, Department of Licensing and Regulatory Affairs or its successor agency or the Medical Marihuana Licensing Board; and

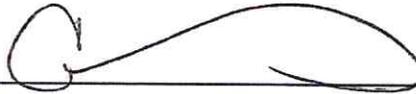
4. The Village of Vanderbilt Clerk/or Village of Vanderbilt Zoning Administrator is authorized to provide a copy of this resolution to any applicant requesting the ability to locate a medical marijuana grower, processor, secure transporter, provisioning center, and safety compliance facilities in the Village of Vanderbilt as evidence that the same shall not be allowed in the Village of Vanderbilt;
5. All resolutions in conflict herewith are repealed; and
6. This resolution is effective immediately upon the adoption and shall remain in full force and effect until repealed by the Village Council.

This resolution was offered by Council member R. Bush, supported by Council Member: T. Heintz at a meeting on August 6th, 2018.

The members of the Village Council voted as follows:

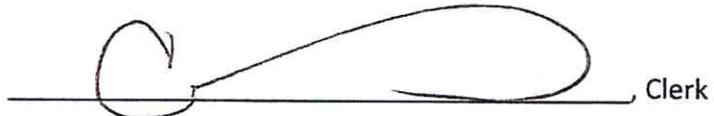
Yeas: Cherwinski, R.; Bush, R.; Heintz, T.; McMaster, R.; Sayles (Boone) C
Nays: Musall, R.; Cottrell, R

Village of Vanderbilt Clerk Certification



AnnaMarie Deeter; Village Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted at the regular meeting of the Vanderbilt Village Council held on August 6th, 2018 that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan Open Meetings Act; that a quorum of the Board was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meetings Act .



Village of Vanderbilt, Otsego, Michigan