

Commissioner Walters stated that while this would be a good project, he would be voting no because he felt variances should be for special circumstances. He felt the ordinance needed to be changed to allow modest front porches since the commission regularly grants these types of requests.

Mayor Seibold also felt the city should look at amending the ordinance to differentiate between roofs over open porches and enclosed additions. She didn't see this project as an issue, but the next one might be and would like to look at changing the provisions.

Yeas: Duncan, Favale, Hamrick, Miller and Zigel – 5
Nays: Walters and Seibold – 2

2018-170. Adoption of a policy for private fireworks show permits.

Parks & Director Bunn explained there have been four private fireworks shows in the last few years with varying degrees of community acceptance. To help regulate the requests and minimize the disruption to those who don't like fireworks, the Parks & Recreation Department has developed a policy to formalize the application and notification process.

The commission discussed various components of the proposed policy at length and asked that language be added to place some type of limit on the number of permits issued each year and how close the fireworks shows could be to each other. They also wanted to make sure the commission had flexibility to deny any permit request at their discretion. Staff will work to update the language and then return with a revised policy for the commission's review.

2018-171. Zigel-Miller. Motion to add to the agenda consideration of an ordinance amendment regarding recreational marihuana establishments. A roll call vote was taken.

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zigel and Seibold – 7
Nays: -0-

2018-172. Introduction of an ordinance amendment to add Chapter 79C to Title VII of the City Code to prohibit marihuana establishments and facilities in the City of East Grand Rapids.

City Attorney Huff explained that the passage of Proposal 1 on November 6 allowing the sale and use of recreational marihuana in Michigan has caused a lot of confusion and concern from local municipalities over how to implement the new laws. While the state law will go into effect in early December, it will take the state government several months to create and implement the accompanying law changes and new regulations to allow recreational marihuana. Many municipalities are adopting ordinances that prohibit the establishment of marijuana facilities while the state implements new regulations and procedures. Mr. Huff stated he has prepared an ordinance amendment for East Grand Rapids to take a "no for now" approach by prohibiting business facilities within the city. This would prevent someone from obtaining a license through the state and setting up a business in East Grand Rapids between the effective date of the law and when the regulations are established. Once the new rules are in place, the City Commission can determine whether to allow limited businesses within the City. Mr. Huff noted that the new ordinance would not affect people's right to purchase marihuana elsewhere or to use marihuana as allowed by the new law. Mr. Huff further noted that the existing medical marihuana ordinances would not be affected by the proposed recreational marihuana ordinance.

City Attorney Huff reiterated that adopting the proposed ordinance would allow the city time to study the new regulations, gather public input and then decide whether or not to allow marihuana businesses to be located in East Grand Rapids. Mr. Huff suggested the ordinance be introduced tonight and then adopted on December 3 with an immediate effective date.

Commissioners asked that staff communicate with residents about the proposed ordinance ask for input between now and the December 3 City Commission meeting.

City Manager Donovan noted that State law does not allow marihuana on school property and prohibits marihuana on public property like parks unless specifically designated by the local municipality.

2018-172-A. Walters-Favale. That an ordinance amendment to add Chapter 79C to Title VII of the City Code to prohibit marihuana establishments and facilities in the City of East Grand Rapids be introduced as attached in Exhibit "B."

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7
Nays: -0-

2018-173. Duncan-Miller. To approve the consent agenda as follows:

2018-173-A. Minutes of the regular meeting held November 5, 2018.

2018-173-B. Payroll disbursements of \$261,076.41; county and school disbursements of \$63,409.17, and total remaining disbursements of \$370,591.55.

2018-173-C. The purchase of NEOGOV HR Management software at a cost of \$666 per month and start up fees of \$5,000.00.

2018-173-D. A contract for electrical work on the backup power system at the Community Center with Shoreline Power Services in the amount of \$20,613.48 and a 15% contingency.

2018-173-E. The purchase of 35 SigSauer pistols and holsters from ACME Sports of Seymour, Indiana in the amount of \$5,266.00, and the purchase of 50 ammunition magazines from Midway USA of Columbia Missouri in the amount of \$1,999.50.

2018-173-F. Contracts for employee benefit plan components with Companion as the Stop Loss Carrier, Physicians Care as the PPO provider and to renew Life, Accidental Death and dismemberment (ADD) and long-term disability underwritten by Madison National Life.

2018-173-G. The replacement of the traffic signal at Lakeside Drive and Robinson Road at a cost to the City of East Grand Rapids of \$41,700.00 with an additional 10% for contingency.

2018-173-H. The purchase of 28 Microsoft 2019 standard licenses from PCM in the amount of \$8,119.72.

2018-173-I. The preliminary minutes of the Parks & Recreation Commission meeting held October 8, 2018.

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7
Nays: -0-

2018-174. Department Directors updated the City Commission on the status of several major goals for the fiscal year and answered questions from the City Commission.

The meeting adjourned at 7:25 p.m., subject to the call of the Mayor until December 3, 2018.

Karen K. Brower, City Clerk

Attachments: A – Private fireworks show policy
B – Ordinance amendment to add Chapter 79C regarding recreational marihuana facilities

Attachments listed above are available for inspection at the office of the City Clerk.