

September 25, 2017

Mayor Jenkins opened the regular meeting of the Gaylord City Council with a prayer by Council Member Sharrard at 7:00pm on Monday, September 25, 2017, in the City Council Chambers, located in the Gaylord City Hall, 305 East Main Street, Gaylord, Michigan. The Pledge of Allegiance followed the invocation.

Members Present: Mankowski, Wishart, Jenkins, Sharrard, Johnson, Deming and Hartz.

Members Absent: None.

Motion by Hartz, supported by Sharrard, to dispense with the reading of the minutes from the meeting on September 11, 2017 and accept them as presented.

Ayes: Unanimous. Motion carried.

Public Hearing: A public hearing was opened at 7:03pm to allow the public to respond to the request of Albie's Foods, Inc. for a 12 year Industrial Facilities Tax Abatement on their 4,776 foot expansion of their building located at 1534 O'Rourke Boulevard. Lisa McComb of the Otsego County Economic Alliance asked City Council to approve the 12 year abatement due to Albie's longevity in the community as well as their creation of jobs. No other public comment was received.

Public Comment: Mr. David Mackowiak, 410 S Center Ave, told council that he wishes downtown would have gone with the three lane configuration. It's necessary for the safety of our elderly and disabled citizens. The voters said no to bonding for the project, not the three lane configuration.

Ms. Laura Sides, Gaylord, Michigan, let council know that the new planter boxes in the downtown are not aesthetically pleasing. Wonders why City employees are still watering the flower baskets downtown when the flowers are dead.

The public hearing for Albie's IFT was closed at 7:11pm.

The following preamble and resolution were offered by Mankowski and supported by Johnson.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et. seq., after a duly noticed public hearing held on May 16, 1977, the Gaylord City Council by resolution established the City of Gaylord Air Industrial Park Industrial Development District, as requested by the Gaylord Industrial Development Corporation; and,

WHEREAS, Albie's Foods, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to the installation and operation of an expansion to their manufacturing facility located within the City of Gaylord Air Industrial Park Development District; and,

WHEREAS, before acting on said application, the City Council held a hearing on September 25, 2017 in the City Council Chambers, located in the City Hall, 305 East Main Street, Gaylord, Michigan at 7:00 P.M., at which hearing the applicant, the assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and,

WHEREAS, construction of the expansion had not begun earlier than six (6) months before August 28, 2017, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and,

WHEREAS, completion of the expansion is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Gaylord; and,

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Gaylord, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the City of Council of the City of Gaylord that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Gaylord, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Gaylord.

2. The application from Albie's Foods, Inc. for an Industrial Facilities Exemption Certificate, with respect to a new expansion on the following described parcel of real property situated within the City of Gaylord Air Industrial Park Development District, to wit Lots 29, 30, & 31 of the Gaylord Industrial Park, Property ID Number: 103-500-000-029-01, also known as 1534 O'Rourke Boulevard, be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 12 years after completion.

Ayes: Unanimous. Motion carried.

Motion by Wishart, supported by Hartz to approve the signing of the Industrial Facilities Exemption Certificate Agreement between the City of Gaylord and Albie's Foods, Inc.

Ayes: Unanimous. Motion carried.

Motion by Sharrard, supported by Deming to create a four way stop at the intersection of North Street and West Street and to place a children playing sign in front of Myszkier's house on West Street.

Ayes: Unanimous. Motion carried.

Motion by Sharrard, supported by Hartz to approve the three year Liability, Property and Equipment Insurance Quote offered by Municipal Underwriters of West Michigan, Inc. for the first year amount of \$46,797.00

Ayes: Unanimous. Motion carried.

At this time the public in attendance were allowed to speak regarding the Licensing of Medical Marihuana within the City of Gaylord.

Frank James, All Well Natural Health Dispensary Owner, was at the meeting to defend the sick people who were not able to attend because of their illnesses. Patients need access to safe medicine and there are laws in place to control the facilities.

Vic Hallock, commercial building owner, No one with a felony will be able to gain a license. The state is fixing the problems.

Ken Szymoniak, not a resident of our community, shared a story of his wife's use of multiple pain management drugs for 16 years without any relief. Since using medical marihuana oils she has been able to resume her regular life and is off all other medications.

Julie Powers, Petoskey Street, believes there is a need for medical marihuana but it should be regulated like all other medication and dispensed at pharmacies. Asked the council to vote no against the licensing in the City of Gaylord.

Bonnie Harvey, nurse and resident of Otsego County, would like council to open dispensaries tomorrow so patients can get their medicine.

Pam Sybil, Graying resident, went from wheel chair to walker to cane using medical marihuana. She is regressing now because she cannot get her medicine.

Jason Evans, life-long resident of Otsego County, would like the council to opt in. The state will regulate with proper background checks. Council should follow their Christian beliefs in helping others.

Richard Fitzpatrick, former House of Representatives from Newaygo, communities have the ability to pick and choose which of the five facilities they wish to have in their community. It will be very regulated by the state. It has the ability to bring higher paying jobs to our community with the high tech growing and processing operations.

Cathleen Graham, regional hospice manager, helps to manage symptoms for hospice patients. The new licensing will be different from things that we are seeing now. It will be extremely regulated. She asked council to table the vote until the state regulations are handed down.

Kip Belcher, State Police Task Force, arrests have been made at 10 to 12 locations in the Gaylord area over the last three years. The dispensaries are selling to well beyond 5 patients for each caregiver. They cannot act within the law that they helped to create back in 2008. There are environmental concerns to think about. When you sell something that has such a high price tag per ounce it then opens the community up to dealing with crimes such as theft and embezzlement.

Katherine Richter, resident of Gaylord, there is always a third option and that's the power of god. There are ministries available to help everyone. Asked the council to take their time making their decision.

Chad Morrow, Owner of Cloud 45, the zoning was already passed by the City of Gaylord. They are not drug dealers. The city should opt in.

Lori Hewitt, resident of the City of Gaylord, has a negative impact on our children. Allowing the licensing sends the wrong message to our kids. Council should opt out.

Michael Adams, graduate from Gaylord High School, there shouldn't be a stigma against medical marihuana users. It is a healthier option than alcohol and opiates.

Justin Dunaskiss, Orion Township, it's a public health, safety and wellness issue. It's a planning and zoning issue not a political issue. The city should opt in to have control, to have regulated business and have a part of the revenue. Marihuana isn't going anywhere and it would be better to have it under regulated terms.

Justin Ayob, from the Detroit Area, moving forward will benefit the patients that need the medicine. He runs dispensaries that operate with the help of local law officials to make sure that their patients continue to receive their medicine.

Chris Aiello, attorney, these businesses should be no different than any other entity in the state. The rules aren't completed yet. How can you opt out without all the rules and regulations in place? Asked the council to table the vote and do more fact finding. He suggested that they bring in an attorney, a regulator and a medical professional to discuss the facts. It's an emerging market of people who need help.

Kenneth Gibson the industry will be self-regulated. He read from the Zoning Ordinance and said that it stated the City of Gaylord allowed caregivers to have more than five patients.

Heather Mundt, Muskegon, is a medical marijuana user and likes the more holistic approach. We need to educate people and their children. It gives patients a choice beside the use of opiates.

Tammy LaBouef, City of Gaylord resident, asked council to opt in. These businesses need rules to play by; they need to be regulated. Don't give away the rules, structure and financial assistance it will bring to our community. Don't opt out until you know all the state regulations.

Al Witt, City of Gaylord resident, this City gives their approval for beer/wine and liquor licenses but not weed licenses. Marijuana doesn't kill people but alcohol does. Don't throw away the progress that has been made. There is no good reason to say no.

Alicia Payton, City of Gaylord resident, starting treatment for cancer and would like to council to opt in. Patients need access to their medication.

Jim McCormick, Birch Run, the economic possibilities are huge. Don't opt out until the rules are all set. Where are patients supposed to go if dispensaries are shut-down. This will lead to back door drug deals. The vetted process and background checks will regulate the industry.

Frank James, would like council to give them the power to open back up tomorrow. Council holds it in their power to do so.

Chris Aiello, a clean-up bill is in the works to allow dispensaries to stay open and operate during the application process under the old laws. It's too early to make decisions; the council should wait until LARA is done.

Tony Apa, pain pills are the devil. Joints him way more; helps him function and be able to work. It doesn't ruin livers and brain cells. Need access to safe reliable medicine.

Melissa Russ, asked council to opt in. Marijuana helps with her seizures.

Beth Ann Cool, Dispensary owner, council shouldn't deny anyone the medicine they need.

Mason Stevens, Traverse City resident, shared a story of his 7 year old son's usage and the difference it has made without needing to use needles to treat his symptoms.

Chad Morrow, asked Paul Slough to contact different Prosecutor's from the different cities in Michigan and ask them how he is able to receive his medical marijuana from multiple dispensaries in the State of Michigan.

Motion by Mankowski, supported by Johnson to table this discussion in order to gather more information.

Ayes: Unanimous. The discussion on Medical Marijuana Licensing was tabled until a future meeting.

Motion to adjourn.

Meeting adjourned at 9:32 P.M.

Kimberly Awrey, City Clerk

John Jenkins, Mayor