

City of Potterville Planning Commission Meeting

May 21, 2019- 7:00 p.m. – Potterville City Hall, 319 N. Nelson Street

Call to Order: Mark Swanson, Chair of the Planning Commission, called the meeting to order at 7:00 p.m.

Pledge: Pledge of Allegiance was recited by all.

Roll Call: Present: Mark Swanson, Tim Maynard, Brent Bruggink, Jeff Bussard, and George Kepler

Agenda: A motion was made by **Commissioner Bussard** to approve the agenda for the May 21, 2019 meeting. **Commissioner Maynard** supported. All in favor. Motion carried.

Minutes: A motion was made by **Commissioner Maynard** to approve the April 23, 2019 meeting minutes as printed. **Commissioner Kepler** supported. All in favor. Motion carried.

Public Comments: Mr. Duston Twitchell, 104 Folk Street, asked if the Planning Commission would be holding discussions on marihuana this evening. **Commissioner Swanson** stated it is listed on the agenda. **Commissioner Bussard** stated he believes the time for items on the agenda should be at the beginning of the meeting, not at the end of the meeting.

Public Comments Closed at 7:01 p.m.

Commissioner Swanson stated he would entertain a motion to move the public comment for items on the agenda to item seven.

Commissioner Bussard moved to amend the agenda to allow for public comment for items listed on the agenda to item seven of the agenda. **Commissioner Bruggink** supported. All in favor. Motion carried.

Commissioner Swanson invited Mr. Twitchell back to speak under public comment.

Public Comments: Mr. Duston Twitchell, 104 Folk Street, stated he grew up in a household where his father was a pothead; most who grew up like he did either go towards the drug use or away from it. He stated he chose to go away from it. He stated he has been an electrician for the past twenty-two years; he has worked on several marihuana grow operations, some legal, some not legal. Mr. Twitchell stated there is a lot of research on the medical benefits of marihuana; he read the public comments from last months Planning Commission meeting minutes. He stated he does not believe there would be a huge crime wave if the City of Potterville chose to allow for marihuana facilities or for the sale of marihuana. He stated he does not know the impact of recreational marihuana on society. He asked the Planning Commission to not put medical marihuana in with recreational marihuana; medical marihuana is a billion-dollar business. Mr. Twitchell stated the Planning Commission would be surprised to know the people who are growing within in city limits. He asked the Planning Commission to remember how the prohibition on alcohol worked for America; allowing for medical marihuana means the City of Potterville can regulate it. Mr. Twitchell stated not allowing for medical marihuana businesses means we may be pushing business away; that could have a negative impact on the city.

Public Comments Closed: 7:10 p.m.

Old Business: Commissioner Swanson stated the Planning Commission needs to discuss Initiated Law 1 of 2018 Michigan Regulation and Taxation of Marihuana Act. Ms. Hatt explained the difference between Public Act 281 of 2016 Medical Marihuana Facilities Licensing Act and Initiated Law 1 of 2018 Michigan Regulation and Taxation of Marihuana Act. She stated City Council passed a resolution in 2017 opting out of creation on an ordinance for medical marihuana facilities, which means medical marihuana facilities are not allowed to operate in the City of Potterville. **Commissioner Bussard** stated he believes City Council at the time had been waiting on regulations from the State of Michigan for the facilities; City Council had passed several moratoriums with the hopes more information would come from the State of Michigan regarding the regulations. He stated when that did not happen, City Council passed the resolution to not create an Ordinance.

Commissioner Swanson stated he believes marihuana was placed on the Planning Commission's agenda due to questions from the public. He stated he is unsure if City Council has discussed the issue further. Ms. Hatt stated it may be premature for the Planning Commission to discuss regulations and conditions without direction from City Council.

Member Bussard moved to remove discussions on Initiated Law 1 of 2018 Michigan Regulation and Taxation of Marihuana Act from future Planning Commission Agendas and redirect the discussion to City Council for an opinion on if they would like the Planning Commission to create an Ordinance or not. **Commissioner Bruggink** supported.

Commissioner Kepler read information from the April 23rd Planning Commission Meeting Minutes into record. He asked if the act the Planning Commission is discussing regulates CBD oils. Ms. Hatt said no; she added the information he read was from the public speaker at the April 23rd Planning Commission Meeting.

Commissioner Swanson asked for a roll call vote. A roll call was taken with five (5) voting aye and none (0) voting nay. Motion carried.

New Business: Commissioner Swanson stated the Planning Commission received a draft copy of by-laws in their packet for their review this evening. The Planning Commission discussed some of the policies and procedures listed in the draft by-laws with Ms. Hatt. **Commissioner Swanson** stated the date of the Organizational Meeting listed on page eight of the by-laws should be changed from April to January based on the previous conversations.

Commissioner Bussard moved to approve the Planning Commission By-laws with the date change on page eight as discussed. **Commissioner Maynard** supported. A roll call was taken with five (5) voting aye and none (0) voting nay. Motion carried.

Commissioner Swanson stated the next items under new business is electronic communication. He stated he believes Ms. Hatt is looking for direction on which e-mails the Planning Commission would like her to use, personal or City of Potterville. **Commissioner Bussard** stated based on his personal experience he is currently going through with a professional e-mail he sent using his personal e-mail account, he would recommend the Planning Commissioners use their City of Potterville e-mail accounts for communication. He stated if they choose to use their personal e-mail accounts, they are subject to FOIA. **Commissioner Swanson** asked Ms. Hatt what she is used to. Ms. Hatt stated the Eaton County Planning Commission Members use a personal e-mail account for communication; she also stated she uses her personal e-mail account as a member of the City of Eaton Rapids Zoning Board of Appeals. Ms. Hatt stated she has left a City of Potterville Citizen Involvement Application at each Planning Commissioner's seat. She asked that everyone fill out the application and give it back to her for the Planning Commission File. Ms. Hatt stated each Planning Commissioner could indicate on the application which e-mail she should use for communication.

Reports: Commissioner Swanson asked Ms. Hatt to give a report on the Master Plan Update. Ms. Hatt stated she placed color copies of the draft Master Plan at each Planning Commissioner's seats. She asked them to review the draft Master Plan and send her any questions, comments, or concerns that need to be addressed prior to the June Planning Commission Meeting. Ms. Hatt stated it would be her goal to have a draft that could be recommend to City Council to send for the required sixty-three day review period in June. She reminded the Planning Commission all communications should only be addressed to her, not the entire Planning Commission.

Commissioner/Administrator Report: Commissioner Swanson asked Ms. Hatt if she has any further information to share with the Planning Commission. Ms. Hatt stated eight Zoning Referrals have been issued since March. She stated the number of Zoning Referrals will decrease from previous years because the City of Potterville is no longer requiring a Zoning Referral for roofs, siding, or windows.

Public Comment: None

Upcoming Cases: Ms. Hatt informed the Planning Commission they have a Site Plan Review Application to hear at their June 18, 2019 meeting.

Motion to Adjourn: Commissioner Bussard moved to adjourn the May 21, 2019 Planning Commission Meeting. **Commissioner Bruggink** supported. All in favor. Motion carried. Meeting adjourned at 8:30 p.m.