

**CITY OF REED CITY  
REGULAR COUNCIL PROCEEDINGS  
February 19, 2019**

Mayor Guiles called the meeting to order at 7:00 P.M. in Council Chambers, 227 East Lincoln Avenue, Reed City, Michigan.

- Present** Mayor, Trevor Guiles. Council Members: Nathan Bailey, Dan Burchett, Karen Lea McKinney, Dave Scharlow and Carol Tillotson arrived at 7:01 pm. Roger Meinert was absent. City Attorney, Cindy Wotila and City Manager, Ron Howell, were also present. Department Heads, Fire Chief Jeff Stein, Chief Chuck Davis, Barbara Westerburg and Rich Rehkopf also attended. The meeting was opened with the pledge to the flag. There were citizens in the audience.
- Public Hearing** Mayor Guiles opened the Public Hearing at 7:01 P.M. to receive public comment on Ordinance 001-2019 to amend the code by adding a new Section designated as Section 802.22 of Chapter 802 and by adding a new section designated as Section 656.06 of Chapter 656, Prohibition of Marihuana Establishments and Prohibition on Sale and Consumption of Marihuana in Public Places.
- There were no public comments received and no written comments received. The hearing was closed at 7:01 P.M.
- Agenda** There were no additions or deletions to the Agenda and the Mayor declared the Agenda stands as presented.
- Minutes** Motion by Scharlow, seconded by Burchett, **CARRIED**, to accept the minutes of the January 22, 2019 regular meeting as presented. Affirmed by voice vote.
- Motion by Scharlow, seconded by Burchett, **CARRIED**, to accept the minutes of the February 11, 2019 special meeting as presented. Affirmed by voice vote.
- Bills** Motion by McKinney, seconded by Bailey, **CARRIED**, to approve paying bills as presented for a grand total approved amount of \$218,046.76. Roll call vote. Voting yes were, Burchett, Tillotson, Bailey, McKinney, Guiles and Scharlow.
- Reports** Chief Stein, Fire Dept., Chief Charles Davis, Police Dept, Rich Rehkopf, DPW, and Curt Brackenrich, WWTP, filed written reports. Barb Westerburg also submitted a Revenue/Expenditure Report as of January 31, 2019.
- Motion by McKinney, seconded by Tillotson, **CARRIED**, to approve the Department Head reports as presented. Affirmed by voice vote.
- Ordinance** Motion by McKinney, seconded by Tillotson, **CARRIED**, to adopt Ordinance No. 001-2019 to amend the code by adding a new Section designated as Section 802.22 of Chapter 802 and by adding a new section designated as Section 656.06 of Chapter 656, Prohibition of Marihuana Establishments and Prohibition on Sale and Consumption of Marihuana in Public Places. Roll call vote. Voting yes were, McKinney, Scharlow, Guiles, Bailey, Tillotson and Burchett.

**CITY OF REED CITY  
ORDINANCE NO. 001-2019**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REED CITY BY ADDING A NEW SECTION WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 802.22 OF CHAPTER 802 OF SAID CODE AND BY ADDING A NEW SECTION WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 656.06 OF CHAPTER 656 OF SAID CODE**

At a February 19, 2019 regular meeting of the City Council held at 7:00 P.M. at the City Hall, 227 East Lincoln Avenue, Reed City, Michigan 49677.

**THE CITY OF REED CITY ORDAINS:**

**Section I. Addition of Section 802.22 to Chapter 802, Section 802.22, "Prohibition of Marihuana Establishments,"** is added to Chapter 802, "Licensing," of the Code of Ordinances of the City of Reed City to read as follows:

**SECTION 802.22 PROHIBITION OF MARIHUANA ESTABLISHMENTS**

- (A) Pursuant to the provisions of Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act (the "Act"), marihuana establishments, as defined by the Act, are completely prohibited within the boundaries of the City of Reed City.
- (B) Any applicant for a state or local license to establish a marihuana establishment, as defined by the Act, within the boundaries of the City of Reed City shall be deemed to be not in compliance with this Ordinance or with the Code of Ordinances amended by this Ordinance.
- (C) This section does not supersede rights and obligations with respect to the transportation of marihuana through the City of Reed City to the extent provided by the Act, and does not supersede rights and obligations under Michigan law.

**Section 2. Addition of Section 656.06 to Chapter 656. Section 656.06, "Prohibition on Sale and Consumption of Marihuana in Public Places,"** is added to Chapter 656 "Peace Disturbances" of Ordinances of the City of Reed City to read as follows:

**SECTION 656.06 PROHIBITION ON SALE AND CONSUMPTION OF MARIHUANA IN PUBLIC PLACES**

- (A) In conformance with Sections 4.1(e) and 6.2(b) of the Act, the sale or consumption of marihuana in any form and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public places within the boundaries of the City of Reed City.
- (B) Any person who violates any of the provisions of this section shall be responsible for a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs.
- (C) This section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided in and authorized by the Act, and does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

**Section [3]. Effective Date.** The adoption of this ordinance is hereby declared an emergency effecting the public peace, health and safety and this ordinance shall, therefore, be effective immediately upon its adoption.

**Section [4]. Publication.** After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the City of Reed City Clerk in *The Pioneer* a newspaper of general circulation in the City of Reed City.

**ORDINANCE DECLARED ADOPTED.**

This ordinance was introduced on January 22, 2019, by Councilperson Tillotson.

On the 19th day of February, 2019, upon the motion by Councilperson McKINNEY, and seconded by Councilperson TILLOTSON, this ordinance was adopted.

Voting yeas: McKinney, Scharlow, Guiles, Bailey, Tillotson and Burchett.  
Voting nays: None.

SAW Grant

Motion by McKinney, seconded by Tillotson, **CARRIED**, to approve Disbursement Request #7 from Fleis & VandenBrink in the amount of \$138,622.62 for the SAW Grant Project. Roll call vote. Voting yes were, Bailey, Burchett, Tillotson, Guiles, Scharlow and McKinney.

- Consent Motion by McKinney, seconded by Scharlow, **CARRIED**, to accept the Consent Agenda as presented. Affirmed by voice vote.
- Committee Nate Bailey reported on the Reed city Rebranding Project. They had their first unofficial meeting and Nate is happy with the diverse group of individuals who attended which includes the following: Tom Burnoskey, Director of the Reed City District Library, Brian Hervey, a mortgage consultant with AmeriFirst Home Mortgage, Dustin Robbins, Manager of Surveyor's Title, Trevor Mund, Reed City Group, Dustin Bacon, a photo journalist from 9&10 News, Susan Olds, from Lake Osceola State Bank, Debbie Yost, owner of Reed City Fitness and Lyndsey Eccles, President of the District Library Board. Dan Burchett and Trevor Guiles were also at the meeting but only to observe and not participate. Councilperson Tillotson inquired how many of the group live in Reed City. Nate responded two live outside of the city limits, but was corrected to include Dustin Robbins also as he now lives in Lake County. Nate reported everyone was very excited about creating a new marketing strategy and possibly recruiting actively new businesses into the area. The next meeting will be held at the Library in the Community Room the first Wednesday of the month at 6:00 P.M.
- City Manager Ron reported on the following:
- Ron is working with Dr. Stephanie Thomson, Communications Professor from Ferris State University – One of the minors at Ferris is Public Advocacy. He will be working with her for ideas for recording meetings and feels the student will have a lot of ideas on that area. Ron will report back after he meets with Professor Thomson.
  - Ron provided a copy of his current contract and advised council it expires on April 30. Council would like to do a City Manager Evaluation. The Clerk was directed to forward a copy of the Evaluation form to the Mayor for his review.
  - The Condition Assessment Report for the Little Mac pedestrian bridge was provided to council and Ron noted he is trying to track down drawings of when the Little Mac was constructed. The bridge is structurally sound but the boards (surface boards) need to be replaced on the Little Mac and Boardwalk. Ron also indicated the Rotary group has expressed an interest in the linear park as a project.
  - A list of recommendations for the Sick Leave policy was reviewed extensively and options were discussed. Based on the discussion, Ron and Mayor Guiles are to meet and create another proposal and share it with the Administrative staff and then bring it back to council for review.
  - Presented an updated Uncompleted Items List and Longer Range Projects update.
- Bills Mayor Guiles appointed Carol Tillotson to review bills prior to the next meeting.
- Mayor Mayor Guiles reported on the following:
- The Mayor attended the Open House at the Eckert company on 220<sup>th</sup> Avenue and welcomed them to the area.
  - In making rounds trying to connect with people, Trevor received appreciation from those wanting to extend their gratitude to the DPW workers for keeping the streets as clear as possible given the harsh winter conditions, and offered a big KUDOS to the DPW crew.
- City Attorney Cindy Wotila presented an updated draft of the Social Media Policy for council to review and bring back at the March regular meeting. Cindy also presented a draft of a Resolution Establishing a New Industrial Facilities District for Reed City Group for consideration at the next meeting. A notice of public hearing will need to be published, posted and sent to the taxing jurisdictions prior to the meeting.

- Comments        Dave Scharlow commented General Mills closed their California Yoplait plant. He also stated people on social media are saying it is up to the City to get a grocery store in town. His last comments was, “we are losing another store downtown”. Dave stated the Ace Hardware store is going out of business and closing their doors. Karen McKinney referred council members to Face Book page, Grocery Outlet, which is a website and we need to find someone that wants to do that. Nate stated he had checked into that but was told it was not feasible as Reed City has too low of a population. Dan Burchett commented the Library had a meeting on the Smithsonian and Tom Burnosky put on a great presentation. Tom will be asking some of the businesses and the Chamber to come to the next meeting. Carol Tillotson commented that there are 60 – 70% of the people in Reed City on fixed income and/or assistance and that needs to be considered when we are looking for volunteers. There are people who might want to volunteer but not be in a position to.
- Audience        Amber Hutchinson disagreed with Carol Tillotson’s comment regarding volunteers. Jeff Stein was happy to announce the new rescue vehicle (Ford Explorer) has been State Certified and is now in use and is very user friendly!
- Adjourn         Mayor Guiles adjourned the meeting at 8:44 P.M.

Jacalyn R. Beam  
City Clerk