

**MONROE CHARTER TOWNSHIP
MONROE COUNTY, MICHIGAN
Special Meeting Minutes
April 25, 2023
7:00 p.m**

CALL TO ORDER

A special meeting of the Monroe Charter Township Board was called to order by Supervisor Alan Barron at 7:00 p.m. on Tuesday, April 25, 2023 from the Monroe Charter Township Hall, 4925 East Dunbar Road, Monroe County, Michigan.

ROLL CALL

Present: Supervisor Barron, Clerk Smith, Trustee's Raymo, Janssens and Howe.

Excused: Treasurer Barton and Trustee Manor

Others Present: Attorney McCormick and forty (40) audience members.

PLEDGE OF ALLEGIANCE

NEW BUSINESS

Consider revoking Township Marihuana License for Stiizy-Jar Capital, LLC located at 14930 LaPlaisance Road, Units 121 and 122, identified as Property I.D. #5812- 020-261-11, due to numerous Zoning and General Ordinance violations.

Attorney Comments

Attorney McCormick addressed the audience explaining the potential revocation of the Marihuana Business License issued to JAR Capital, LLC dba Stiizy ("JAR"), who opened for business on 4/20/2023. Attorney McCormick summarized the multiple violations issued against JAR, which included illegal signage; operating without a valid Certificate of Occupancy; consumption of marihuana on premises; odor penetrating into neighboring businesses; no odor control; loud music; an unapproved special event; cars parked and deliveries made in the fire lane; and blockage of emergency fire exits. Based on information and belief, Attorney McCormick acknowledges that some of the violations cited against JAR were remedied on April 20, 2023, although some were not. Attorney McCormick acknowledged that JAR's counsel, Tom Kalas, provided a response letter to the multiple citations issued, which was made part of the record.

Zoning Enforcement Officer/Community Development Director Comments

Kim Fortner addressed the response letter from Attorney Tom Kalas representing JAR Capital, LLC regarding the violations. She informed the Board as follows:

Violation #1. The Planning Commission approved the name "Stiizy," but she learned from the response letter that "Stiizy" is the assumed name of the prior lessee of the premises, Focus Group Enterprises, LLC and not JAR Capital, LLC. Focus Group assigned its interest and the lease to JAR Capital effective August 10, 2022. Ms. Fortner stated that this response proves that this is not just a sign name change, that there is actually a different operator of the business in violation of the certificate of occupancy. Ms. Fortner further explained the process of obtaining a certificate of occupancy. Stiizy received a certificate of occupancy on January 30, 2023, the Township has no record of Joyology.

Violation #2. The marihuana business license renewal application received by the Township on March 28, 2023 was based on zoning approval for the licensee, which was in the name of Stiizy. Given that JAR had no rights to the name "Stiizy", Ms. Fortner stated that the application of license renewal provided false information and should not have been approved.

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Ms. Fortner further informed the Board that she received a letter from Attorney Mike Bahoura on behalf of Ryan Jundt, which is part of the record in the meeting, that Ryan Jundt is no longer an owner of JAR Capital as of January 2023 and that the new owner of JAR has no rights to use the name "Stiiizy."

Violation #3. Ms. Fortner stated that the Township ordinance does not allow for consumption on the parcel within which the marihuana business is located, not just strictly within the store, in response to JAR's allegation that JAR (1) does not allow consumption on premises, so therefore did not violate the Ordinance; and (2) that once a customer leaves the premises Jar Capital cannot control their actions. Ms. Fortner acknowledges that JAR conceded that in order to prevent future occurrences, they've initiated a procedure where an employee will walk customers to their car and will post signs prohibiting smoking.

Violation #4. In response to multiple complaints from the business next door that they were smelling the odor of marihuana permeating into their unit, Ms. Fortner told the Board that the Township Building Official has been out on numerous occasions attempting to make contact with JAR in an attempt to verify that an odor control unit is in place which is pursuant to the site plan approval from the Planning Commission, but that they have not been able to do so.

Violation #6. In response to JAR's statement that they were unaware of the requirement for a special event approval, Ms. Fortner asked that it be noted that JAR has other marihuana businesses in other townships and that those townships have ordinances as well. Furthermore, Ms. Fortner stated that JAR has never reached out to her to seek guidance and also reminded the Board that the Township's ordinances are available online and on the Township's website.

Violation #11. Ms. Fortner reported that she rejects JAR's statement that there was no change in ownership that had to be reported to the Township.

In conclusion, Ms. Fortner stated that she was glad that there were able to abate most of the issues, however, she did not like how they've gone about this and asked the Board to consider a suspension while getting legal opinion.

Supervisor Barron asked for Board Comments, in response to which, Attorney McCormick asked Ms. Fortner questions, to which Ms. Fortner responded, as follows:

Attorney McCormick: In the zoning ordinance, if there is a change in ownership of an entity is there a requirement to get zoning approval?

Ms. Fortner responded that any time there is a change of use, occupant, or structural changes an applicant is required to obtain the proper permits and inspections. When it is simply a name change that would be a different procedure, but that's not what is happening here.

Attorney McCormick: Have other applicants made application to change the doing business name?

In response, Ms. Fortner stated that there have been two businesses with name changes. One was HOD who applied to the Planning Commission changed their sign to House of DANK to meet our ordinance. She further stated that they provided their written request as required to go to the Planning Commission and paid the fee to be placed on the agenda, the Planning Commission heard their request and granted it based on our ordinances. Because it was a name change and not a change in tenant we asked for a letter stating that there was no change in ownership and occupant and gave us contact information in case we need to contact them. Another one that did that was Heads through the same process and changed their name to Exclusive.

Attorney McCormick: So, in that instance did you issue a new certificate of occupancy?

Ms. Fortner: yes.

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Attorney McCormick: And you issued that certificate of occupancy in the name of Exclusive?

Ms. Fortner: Yes, and I also issued a new certificate of occupancy in the name of House of DANK.

Trustee Howe inquired on the odor control: How do we issue of certificate of occupancy before we know that the odor control is in?

Ms. Fortner stated that they receive site plan approval based on the plan submitted, they got their final inspection but weren't open yet so there was no product to test the odor control plan.

PUBLIC COMMENTS

Casey Bross, owner of Mini Mitten Pediatric Therapy testified that JAR was open on Thursday, April 20, 2023 and Friday, April 21, 2023 and witnessed offensive noise from music on both days; curbside pick-ups and deliveries; consumption in the parking lot; careless driving; blocked emergency fire exit and the smell of marijuana permeating into their unit on April 20th, 21st, 24th and 25th.

Erik Chappell, Attorney and tenant at the location, testified that the business was open on Friday, April 21, 2023, there were cars on the curb that looked like it was functioning like a drive thru as well as an employee outside with a tablet; music was still playing on Friday, and that his office is two doors down and he could hear it in his office. Mr. Chappell stated that he was at the location today and you could still pick up an odor in his unit as well. He voiced his concerns that if the business were to open up again that there would still be many issues and that good businesses will be driven out.

Ashley Rippee, Manager of Mini Mitten Pediatric Therapy, testified that she was working on April 20, 2023 when JAR opened their business. She stated it was very hectic and that they were playing profane music; there were unsafe parking situations; witnessed people loitering outside using what smelled like marijuana; lots of trash and garbage; illegal parking in a handicap parking spot with no handicap plate; a large billboard trailer with extremely profane music playing and advertisements for the business; the fire lane was blocked causing safety issues.

Supervisor Barron asked Ms. Rippee: How would you describe Friday?

Ms. Rippee stated that she only worked a half day and witnessed a little bit of activity but thinks most things happened after she left.

There were three comments from customers of the Mini Mitten with concerns of safety for a vulnerable community and the business feeling like they need to lock the doors to feel safe. There was also a question about pressure testing the odor control system and inspections prior to opening.

Clerk Smith asked Ms. Fortner a follow-up question: Was JAR Capital approved for any curbside service?

Ms. Fortner confirmed that curbside service or "drive through" services are not allowed and would describe that what is permitted as carside service. Other marijuana businesses, especially after covid, have put signage out in their off-street parking spaces designating carside services.

Ms. Fortner also wanted to address a comment about pressure testing the odor suppression prior to opening the business. In order to be a state licensee, the business must have a certificate of occupancy so there can't be any product on site until they become a state licensee so there is no way to pressure test.

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OWNER COMMENTS

Tom Kalas, Attorney representing JAR Capital, LLC, advised the Board that he responded to the violations and sent them to Attorney McCormick. Attorney McCormick confirmed that the Board is in possession of his response. Mr. Kalas stated that many of the violations were abated on the day of incident. He stated that had there not been an event on 4/20 also known as "Weed Day," none of the violations would have occurred. He told the Board that 4/20 is the busiest day of the year in the cannabis industry. He stated that his clients thought that they could hold a special event that day to celebrate the opening day of their business. He stated that violations like temporary signs; parking in fire lanes; curbside pickup; delivery trucks parking in front; are things that will not occur again. He admitted that it was chaotic but at no time was there ever any intent by JAR Capital to circumvent the regulations, circumvent the process, or hide anything. He alleged that they've been above board, transparent to the best of their ability, from day one.

Mr. Kalas acknowledged that there have been many people involved throughout the application process and that is largely in part why there was confusion relative to the entity itself with the licensure. He confirmed that JAR Capital, LLC is the actual licensee in the State of Michigan, they've always been the licensee. He argued that it is not the assumed name of "Stiizy" that the certificate of occupancy was issued as Stiizy is not a legal entity, but just an assumed name for a business that existed and was the prior lessee of the lease for that location. JAR Capital was the applicant with the State and JAR Capital was the applicant with the Township for the license. The fact that names got confused or mixed up, wrong names provided, those are not intentional situations and those are not substantive they are technical errors. He asked that the Board put that aside and look at the substance of the business and what is going on at that location.

Mr. Kalas reiterated that all of the violations have been addressed in my letter. The temporary signs were abated the same day. He stated that unfortunately, JAR had no control of the trucks parked in the front on April 20, 2023, as they had not been open for business yet. He stated that once the business opens, it will have control of the vendors and deliveries, and can specify that deliveries be made in the back of the business and that vendors can't park in the fire lane or in any ingress/egress. He verified that the improper signs were put up to advertise the event and as soon as they found out that they were in violation of the ordinance, they immediately removed them.

Mr. Kalas stated that the legal ownership of the business as is indicated on the license is JAR Capital and that hasn't changed. He stated that he interpreted the ordinance specifically as indicated in my letter, Section 5-33 of your ordinance it talks about assignability and transferability of a license to another entity which would require Township Board approval, we understand that, but here there was not an assignment of a license to another entity. He stated that JAR is the exact same entity that owns the license, and although there were internal membership assignments, but as far as the entity that owns the license it's always been JAR Capital and hasn't changed. This is an interpretation issue at best. It wasn't a situation where the actual license was transferred. Mr. Kalas stated that JAR did approval from the state for the membership transfer in both January and April and at that point it was my client's intention that once they receive approval from the state for the April transfer of interest, which they in fact received the day before the Special Meeting, they were going to disclose that to the Township. He reiterated that it wasn't a situation where a license was transferred and until we had the actual approval from the state. Finally, Mr. Kalas stated that ownership of the entity wasn't a concern of the Township or something that JAR felt should be a concern, that they are trying to handle on the odor that because JAR is a retailer, there's no smoking of marijuana on premise or in the store, so JAR isn't sure if the odors are coming from cannabis businesses within the shopping center itself or coming from somewhere else.

At this time, Mr. Kalas took questions from the Board, as follows:

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Supervisor Barron: Was there security on those days?

Mr. Kalas stated that there was no security that day. We have no problem if the Township requires security. Again, it was a chaotic day, it was a special event and that's why a lot of these violations occurred.

Supervisor Barron advised that the business would've been required to have security with a special event application.

Mr. Kalas stated that they've had a high-tech carbon filter installed and don't know how the odor could make it through the filters permeating into the adjacent suites from our store, but once people leave the store and go into their cars or approach their cars or in the parking lot they can't dictate to them. He continued, the only thing we can tell them is we have a procedure in place to advise the customer when they're coming in that there is no smoking on premises advise them as they're going out, but again, once they get further out into the parking lot to their cars unfortunately we can't control that, other than telling them they can't smoke on site. Mr. Kalas quoted The Marihuana Ordinance specifically states as far as smoking and consumption that its prohibited Section 5-318 indicated there will be no smoking, inhalation or consumption of marihuana shall take place on the premises of any marihuana business, and stated, so again, we can control our premises and we can prohibit and restrict it but unfortunately, we have no control once they leave our premises.

Mr. Kalas continued that the certificate of occupancy typically is granted once all the improvements on the site plan are approved by the Township. He confirmed that JAR did receive a certificate of occupancy under the business name Stiizy as opposed to JAR Capital, but the lessee was listed as JAR Capital, who is the licensee and that as such, JAR is properly licensed, they're properly occupying and properly conducting their business, that the violations that occurred have been abated and that they have taken steps to abate the remaining violations. Mr. Kalas alleged that there really are no violations that warrant a suspension or revocation of the license, and that this new business will employ 50 to 75 full and part time employees. He stated that JAR is amenable to any suggestions wants to be good corporate citizens, doesn't want to violate any ordinances, and would like a long-term profitable business that's good for the community, brings tax revenue to the community, and provides jobs.

At this time, Mr. Kalas indicated that he would take questions.

Attorney McCormick: The original application for the Planning Commission was filed on or around July 26, 2022 under the name of JAR Capital, LLC doing business as Stiizy. Who owned JAR Capital on July 26, 2022?

Mr. Kalas stated he did not know.

Attorney McCormick stated that Michigan records reflect Ryan Jundt and was listed on LARA as the sole owner at that time. She further stated that in January of 2023 it appears that there was a transfer of ownership that was provided to the CRA but then provided to the Township as part of the renewal application indicating that Ryan Jundt sold 100% of his interest in JAR Capital, LLC to Adam Dyson. Is that correct?

Mr. Kalas stated that from what he reviewed, but was not representing the business at that time, that appears to be the situation.

Attorney McCormick: Was that approved by the CRA? The transfer to Adam Dyson?

Mr. Kalas stated it must have been because now there is a transfer to Chris.

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Attorney McCormick: When did JAR Capital make its request to approve the transfer of ownership from Adam to Chris? In early March 2023 JAR Capital, LLC made a request to approve a change of ownership of JAR Capital from Adam Dyson to Chris Yermian? Was that application approved by the CRA?

Sam Paulus stated that they received conditional approval on April 24, 2023 and fully intended on disclosing that to the Township.

Attorney McCormick: And conditioned upon what?

Mr. Paulus stated that usually with the CRA they issue a conditional approval pending the closing of the transaction and a final signature from the new person whom the membership interest is going to. The final approval goes through once they receive those final items.

Attorney McCormick: Who owns JAR Capital, LLC if the CRA has not approved the transfer? In other words, is the transfer of ownership conditioned upon approval of CRA?

Mr. Kalas stated that the CRA has approved the transfer.

Attorney McCormick: Conditioned upon?

Mr. Kalas stated that they're just waiting on final signatures.

Attorney McCormick: Did JAR Capital ever have the rights to the name Stiiizy?

Mr Kalas stated that Stiiizy was the assumed name that was filed back on January 19, 2022 for Focus Group Enterprises, LLC. It was never part of JAR Capital. He questioned how "Stiizy" got into the mix as again I wasn't involved had I been doing the paperwork it might have been different. How it got involved with JAR Capital? I don't know. JAR Capital never had an assumed name other than Joyology of Monroe which was filed recently.

Attorney McCormick: Just to clarify, Joyology of Monroe was filed April 20, 2023.

Mr. Kalas: Correct.

Attorney McCormick: Going back to Stiiizy, Focus Group Enterprises, LLC owns the rights to the dba name?

Heather Cude, the former attorney for Ryan Jundt and JAR Capital, LLC for its original application with the Township, then spoke to Attorney McCormick's questions. Her informed the Board that Stiiizy is a brand, not an entity, and was never an assumed name or a dba for JAR Capital but at the time of application, Ryan Jundt had an agreement with Stiiizy and he was going to be operating the store as a Stiiizy store, so that is why in the original application, Ryan Jundt sought sign name approval of Stiiizy specifically. After Ryan transferred the member interest to Adam Dyson, that was no longer going to be the case.

Attorney McCormick: And that was clear in the transaction documents?

Ms. Cude: the transaction documents that were created were the documents that were required for the CRA to get the CRA approval transfer of JAR Capital from Ryan to Adam so that's not outlined in those documents. In fact, Stiiizy isn't mentioned at all in those documents because it was never a dba, it wasn't an assumed name, it wasn't a part of the actual license that was being transferred or the prequalification that was being transferred. It's not mentioned in that because what wasn't being transferred was Ryan's relationship with the brand Stiiizy, what was being transferred was the entity of JAR Capital.

Supervisor Barron asked what the difference is between an assumed name and a dba?

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Mr. Kalas explained that the assumed name is registered with the State and is just a name and that a business can have many assumed names.

Attorney McCormick went on to clarify that a dba and assumed name are one in the same. Stiiizy was owed by Focus Group Enterprises and not JAR Capital.

Ms. Cude explained that Focus Group Enterprises is a different entity which was sold to Shrine Group the owner of Shrine Group, James Kim and they must have dba'd Stiiizy for Focus Group Enterprises. So, Focus Group is not related to this at all except that's where you will find Stiiizy because again Shrine Group is the entity that creates the brand of Stiiizy.

Attorney McCormick: Throughout this process beginning in July 2022 and thereafter we have many applications and correspondence referring to the business as Stiiizy. One of those is the renewal of the license. The Township received a request to renew JAR Capital, LLC's license in March of 2023 and indicated that the business name on that renewal is Stiiizy. How did that happen?

Mr. Paulus stated that the renewal application was completed by Attorney Cude so she may be able to answer. He told the Board that he recently came in as the Consultant for JAR Capital and brought the application to the Township, but I didn't actually complete it myself.

Ms. Cude: the application that was submitted was not created by me, it was not submitted by me. I suppose you could say that I contributed to it when I was working for the law firm that was representing JAR Capital. However, when I was working on that, it was prior to Joyology. I did not complete that application, I did not submit that application and would just like to clarify that I have no input or impact on the application that was submitted for Joyology.

Mr. Kalas: Again, Stiiizy and Joyology are assumed names. Joyology for JAR Capital and Stiiizy, why it's still being used?

Attorney McCormick: To be clear it is on the C of O and it is the business name that was issued in January 2023.

Mr. Kalas: It should have been JAR Capital because that's the actual licensee and business name.

Attorney McCormick: Was there ever an opportunity that the applicant asked for a change to the C of O?

Mr. Paulus: Yes, I had some correspondence with the Township on that C of O letting them know that JAR Capital, LLC is the actual lessee of the property. I was told that they needed a contact person on the C of O that they couldn't put an entity on it. So, we had it amended to Ryan Jundt on behalf of Jar Capital, LLC. At that time Adam Dyson was the owner of JAR Capital, LLC. I was not aware of that, at that time. I started with the law firm that represents JAR Capital about a month and a half ago. I'm a cannabis regulatory and compliance consultant. It was on my desk as a task for me that that time. I wasn't fully involved at that time. We did attempt to have the C of O amended to reflect JAR Capital, LLC as of now it says the lessee is Ryan Jundt on behalf of JAR Capital, LLC.

Attorney McCormick: Correct, it also says the business name is Stiiizy.

Attorney McCormick: Moving on to the odor control plan is installed and is continuing to be installed. When was the filtration system installed on 04/20 or 04/21 when you were open for business?

Mr. Kalas: Chris can better answer that but the system is installed.

Mr. Yermian: There are already carbon filters in place. Clearly it didn't do a good job. After getting complaints of odor I went above and beyond and purchased more. I can say that it was done prior and there are additional being placed. Also, my name is Chris, I understand that there is a lot of back and

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forth especially with security I can say that I own and operate eight locations across the State currently this will be number nine. We have no security at any of the locations however I don't see that being a problem hiring a security firm to protect the premises, not for my business sake, I have stores in Detroit in more unsafe areas than Monroe but it would be strictly for the neighboring tenants and they would be sitting outside all day making sure there is security in the parking lot. This license was sat on for about a year and I came in less than a month and am trying to get acclimated. I was able to build out and fully furnish this facility and my intent is to grow with the community and to be helpful. Unfortunately, nobody knows who I am. I'm here now and am moving as fast as I can. I don't have any other compliance at any of the other eight facilities that I manage and operate but it's all about change and willing to change. If these issues are being brought up like odor control plan, let me make that right. Security issue? That's an easy fix. Legal stuff? I'm not good at that stuff. I can only hire the proper people to take care of that.

Trustee Howe: Mr. Kalas, one of your statements was its coming from one of the other businesses, the odors. That would be really tough to get right in my head when they have been there for a while and the only change was when your business came in. I just don't think that's a reasonable statement.

Mr. Kalas: We don't know. It may have been coming from people smoking in the parking lot.

Trustee Howe: the next thing I take issue with is that you're trying to be good corporate citizens when there was a blatant disregard not for one, not for two, but several of our ordinances. Not just, "I got a little bit wrong," so I just don't believe the statement about being a good corporate citizen.

Mr. Kalas: I can appreciate that. As Chris indicated he just got approved the other day, he's new, he has eight other locations.

Trustee Howe: a good corporate citizen reviews our ordinances and tries to comply with them.

Mr. Kalas: going forward it will not be an issue.

Clerk Smith: Mr. Paulus you came and dropped off the renewal application to me on March 28th for the renewal license and at that time I asked you if there were any changes in ownership. Now we had not been notified obviously of the change in ownership of JAR Capital and you stated no. You also turned it into me with Stiiizy listed on the application. Now I can appreciate the fact that you're a new attorney however isn't it your job to review everything to make sure, because you are a compliance person, isn't it your job to make sure that the documentation you're providing to us is accurate and to the best of your ability? And I have one more question. Why did you apply on LARA on 04/20 for the Joyology name two days after the approval for the renewal? If you knew that was the intent and that you weren't going to use the Stiiizy name, why wasn't it applied for when you turned in the application to the Board?

Mr. Paulus: First, I want to clarify that I am not an attorney, I am a compliance and regulatory consultant. When I arrived, JAR Capital was an item on my desk that was complete. I was instructed to turn it into the Township. I had no involvement in completing that, I had no involvement in knowing what was going on with the entity. As I recall you asked me if I was aware of any transfers that were taking place and of course I wasn't. It was one of my first few days. We represent many clients you can't expect me to know a few days in what's going on with all clients. I became aware later on that there was a transfer pending with the CRA. Again, in was a transfer/conveyance of interest and transfer of the license. We interpreted the ordinance because it was a conveyance of interest that we would just notify you guys once it had been approved. That was just conditionally approved on April 24th. Regarding the Joyology dba, the reason we filed that dba is because our clients put the signs up obviously and then we were notified of the issue from the Building Inspector the Township's C of O didn't have Joyology on it so the filing of the dba was nothing more than an effort to rectify that issue immediately by having a legal assumed name for JAR Capital which is the owner of the license.

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Trustee Howe asked Attorney McCormick for clarification on the difference between a member interest and an owner? To me I own it so I have all the interest in it.

Attorney McCormick responded that the reason we're being so specific is there's an entity called JAR Capital and because it is an LLC in has ownership interests. It is a way to own an LLC. JAR Capital LLC is the licensee. It's the membership that we've been trying to figure out. There is no difference between owner and membership interest.

Clerk Smith: Mr. Paulus you work for Urban Legal Group, correct?

Mr. Paulus: that is correct.

Clerk Smith: Do they represent your business? That's why I assumed that you were an attorney because of the correspondence.

Mr. Paulus: I am the compliance manager. We retain a lot of clients in the cannabis industry and I am a cannabis regulatory and compliance consultant. The attorneys handle the legal work and I handle more of the compliance licensing.

Clerk Smith: are they representing JAR Capital? Or are you the new attorney (referring to Mr. Kalas) effective yesterday?

Mr. Kalas: Yes, I am the attorney.

Clerk Smith: Who was the attorney until last week?

Mr. Kalas: I don't know. I was just retained a few days ago.

Clerk Smith: So, we have no idea who the attorney was. It was just your company representing based on you being the compliance person?

Mr. Paulus: My understanding is our legal group was retained by JAR Capital, LLC. My role in that was just to work on certain compliance elements and things that are within my role but I wouldn't be able to give you a full answer to that. I'm not too sure.

Trustee Howe: We should ask Chris who his counsel was.

Mr. Yermian: I use multiple attorneys based on municipality. I like to use local attorneys.

Mr. Paulus: If I may interject, many cannabis businesses will use different attorneys with different specialties because it's a very complex process as you know. You might want one attorney whose better with compliance and one whose better with licensing. It's pretty commonplace.

PUBLIC COMMENTS

There were 9 public comments regarding unresolved issues; offer to move a business; willingness to appease the Township; lack of control and nuisance business; lack of responsibility; rush to make money with blatant disregard; clarification of ordinance 147 that was cited incorrectly and that no consumption is

permitted on a parcel in which a marihuana business is located; vulnerability of the people using the businesses next door.

Attorney McCormick stated that we've heard testimony regarding the actions of JAR Capital, LLC on what we now know is 04/20 and 04/21. The question is whether or not they violated any of our ordinances. While we've heard testimony of violation, she informed that Board that she wants the Board to get this

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decision right and see where that testimony aligns with our ordinances and where those violations are and what the appropriate remedies are. She informed the Board that remedies in our ordinance include fines, suspension, and revocation but that there's a huge range of difference there. She requested that the Board adjourn the meeting, request of legal opinion about the enforcement of our ordinance based on the testimony today. She informed the Board that a temporary suspension of the business would be supported based on the testimony today.

Motion #1. Motion by Raymo, supported by Howe, to adjourn the special meeting to May 4, 2023 at 7:00p.m., to request Attorney McCormick or its outside counsel to prepare an Opinion Letter, and to temporarily suspend the Township Marihuana License for JAR Capital, LLC, located at 14930 LaPlaisance Road, Units 121 and 122, identified as Property I.D. #5812- 020-261-11.

Mr Kalas asked the Board to consider changing the motion that in lieu of a suspension that they will agree on record not to operate during that time period.

Supervisor Barron stated that in light of the testimony a suspension is probably light. If a motion came up for revocation it may pass.

Roll call vote: Raymo yes, Howe yes, Smith yes, Janssens yes, Barron yes. **Motion carried.**

ADJOURNMENT

Motion #2. Motion by Raymo, supported by Howe to adjourn the meeting at 8:34 p.m.

Roll call vote: Raymo yes, Howe yes, Janssens yes, Smith yes, Barron yes. **Motion carried.**

Attested:



Alan Barron, Supervisor
Monroe Charter Township



Christina Smith, Clerk
Monroe Charter Township