

**MONROE CHARTER TOWNSHIP
MONROE COUNTY, MICHIGAN
Regular Meeting Minutes
October 17, 2023
7:00 p.m**

CALL TO ORDER

A meeting of the Monroe Charter Township Board was called to order by Supervisor Alan Barron at 7:00 p.m. on Tuesday, October 17, 2023 from the Monroe Charter Township Hall, 4925 East Dunbar Road, Monroe County, Michigan.

ROLL CALL

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

Excused: Attorney McCormick

Others Present: Chief Cherney and nineteen (19) audience members.

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES (Regular Meeting Minutes of September 19, 2023, Workshop Minutes of October 3, 2023 and Workshop Minutes of October 10, 2023).

Motion #1. Motion by Manor, supported by Howe to approve the Regular Meeting Minutes of September 19, 2023, Workshop Minutes of October 3, 2023 and Workshop Minutes of October 10, 2023, as presented.

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

APPROVE PAYMENT OF BILLS/INVOICES

Motion #2. Motion by Raymo, supported by Janssens to approve the payment of bills and invoices as listed by the Clerk, as presented.

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

FIRE DEPARTMENT REPORT

Motion #3. Motion by Smith, supported by Janssens to accept and place on file the Fire Department Report for the month of September 2023, as presented.

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

SHERIFF DEPARTMENT REPORT

Motion #4. Motion by Manor, supported by Raymo to accept and place on file the Sheriff Department Report for the month of September 2023, as presented.

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

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CONSENT AGENDA

- A. **Financial Reports:**
 - 1. Clerk's 2023 Budget Summary Report, period ending September 30, 2023.
 - 2. Treasurer's Monthly Statement of Bank Accounts & Investments, period ending September 30, 2023.

- B. **General Reports:**
 - 1. Supervisor.
 - 2. Building Official.
 - 3. Blight Report.
 - 4. Zoning Enforcement Officer.

- C. **Communications:**
 - 1. Correspondence Charter Communications 2 letters dated September 15, 2023 Re: Upcoming Changes and Disney Channel programming.
 - 2. Correspondence Comcast Communications dated September 27, 2023, Re: Upcoming Price Changes to Xfinity TV Services.

Motion #5. Motion by Janssens, supported by Manor to accept the Consent Agenda and place on file, as presented.

Roll call vote: Janssens yes, Manor yes, Howe yes, Raymo yes, Barton yes, Smith yes, Barron yes.

Motion carried.

RESOLUTION

Approve Resolution #23-10, for Medical Insurance-Blue Cross/Blue Shield.

Motion #6. Motion by Smith, supported by Howe to approve Resolution #23-10, for Medical Insurance-Blue Cross/Blue Shield, as presented.

Roll call vote: Smith yes, Howe yes, Barton yes, Manor yes, Raymo yes, Janssens yes, Barron yes.

Motion carried.

ORDINANCES

Waive the second reading to amend Zoning Ordinance 52-2010 to include adding text amendment to Article 5, Section 5.02, Footnotes to the Schedule of Regulations with Subsection 5.02.M(ii), Front Yard Requirements, Inland Lake Waterfront Lots, to allow inland lakes with a State approved mechanism to control the water level to be required to have less setback from the high water mark than other waterfront lots, all to reference Front Yard Requirements, Inland Lake Waterfront Lots and to have published in the Monroe News and become effective eight (8) days after publication.

Motion #7. Motion by Manor, supported by Howe to waive the second reading to amend Zoning Ordinance 52-2010 to include adding text amendment to Article 5, Section 5.02, Footnotes to the Schedule of Regulations with Subsection 5.02.M(ii), Front Yard Requirements, Inland Lake Waterfront Lots, to allow inland lakes with a State approved mechanism to control the water level to be required to have less setback from the high water mark than other waterfront lots, all to reference Front Yard Requirements, Inland Lake Waterfront Lots and to have published in the Monroe News and become effective eight (8) days after publication, as presented.

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ORDINANCES (Con't)

Roll call vote: Manor yes, Howe yes, Barton yes, Janssens yes, Smith yes, Raymo yes, Barron yes.

Motion carried.

NEW BUSINESS

Approve Brandon Edman, Michael McClellan and Elizabeth Wehner as Probationary Firefighters effective November 1, 2023, as recommended by Chief Cherney.

Motion #8. Motion by Smith, supported by Howe to approve Brandon Edman, Michael McClellan and Elizabeth Wehner as Probationary Firefighters effective November 1, 2023, as recommended by Chief Cherney, as presented.

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

Approve 4th quarter payment of \$750.00 to Monroe County Business Alliance.

Motion #9. Motion by Howe, supported by Janssens to approve 4th quarter payment of \$750.00 to Monroe County Business Alliance, as presented.

Roll call vote: Howe yes, Janssens yes, Raymo no, Smith yes, Barton yes, Manor no, Barron yes. **Motion carried.**

Approve payment of \$5,765.00 to Accident Fund Insurance Company of America for additional Worker's Compensation Insurance Premium (07/2022 – 07/2023).

Motion #10. Motion by Smith, supported by Barton to approve payment of \$5,765.00 to Accident Fund Insurance Company of America for additional Worker's Compensation Insurance Premium (07/2022 – 07/2023), as presented.

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

Approve 2024 Holiday Schedule.

Motion #11. Motion by Smith, supported by Barton to approve the 2024 Holiday Schedule, as presented.

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

Approve 2024 Regular Board Meeting Schedule.

Motion #12. Motion by Smith, supported by Howe to approve the 2024 Regular Board Meeting Schedule, as presented.

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

Approve appropriating up to \$30,000.00 from Parks and Recreation budget for ball diamond improvements on Diamonds #2, #3 and #4.

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NEW BUSINESS (Con't)

Motion #13. Motion by Howe, supported by Raymo to approve appropriating up to \$30,000.00 from Parks and Recreation budget for ball diamond improvements on Diamonds #2, #3 and #4, as presented.

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

Approve payment of \$17,500.41 to Kinzit for remainder of Server balance.

Motion #14. Motion by Howe, supported by Smith to approve payment of \$17,500.41 to Kinzit for remainder of Server balance, as presented.

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

Approve VSP Vision Plan renewal, effective 01/01/2024 – 12/31/2025.

Motion #15. Motion by Manor, supported by Raymo to approve VSP Vision Plan renewal, effective 01/01/2024 – 12/31/2025, as presented.

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

Approve Blue Cross/Blue Shield renewal, effective 12/01/2023 – 11/30/2024.

Motion #16. Motion by Howe, supported by Smith to approve Blue Cross/Blue Shield renewal, effective 12/01/2023 – 11/30/2024, as presented.

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

Approve Delta Dental Renewal, effective 12/01/2023 – 11/30/2024.

Motion #17. Motion by Smith, supported by Raymo to approve Delta Dental Renewal, effective 12/01/2023 – 11/30/2024, as presented.

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

Consider Special Event for Urb Cannabis (Safa Zetouna), 14515 LaPlaisance Road, to be held on October 31, 2023, from 12:00 p.m. – 8:00 p.m. (2)

Motion #18. Motion by Smith, supported by Howe to consider Special Event for Urb Cannabis (Safa Zetouna), 14515 LaPlaisance Road, to be held on October 31, 2023, from 12:00 p.m. – 8:00 p.m., as presented.

Roll call vote: Smith yes, Howe yes, Janssens no, Manor yes, Raymo yes, Barton yes, Barron yes. **Motion carried.**

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NEW BUSINESS (Con't)

Consider approving renewal of marihuana business medical provisioning and adult use retailer licenses for JARS Holdings LLC (Jars Cannabis) of 15519 S. Telegraph Road (Property I.D. #5812-020-072-01), from 10/20/23-10/20/24.

Motion #19. Motion by Smith, supported by Manor to consider approving renewal of marihuana business medical provisioning and adult use retailer licenses for JARS Holdings LLC (Jars Cannabis) of 15519 S. Telegraph Road (Property I.D. #5812-020-072-01), from 10/20/23-10/20/24, as presented.

Roll call vote: Smith yes, Manor yes, Howe yes, Barton yes, Janssens no, Raymo yes, Barron yes.

Motion carried.

Consider approving renewal of marihuana business medical provisioning and adult use retailer licenses for UM1, LLC (Exclusive Cannabis Cookies) of 14750 LaPlaisance Road, H260 (Property I.D. #5812-010-228-10) from 11/03/2023-11/03/2024.

Motion #20. Motion by Smith, supported by Raymo to consider approving renewal of marihuana business medical provisioning and adult use retailer licenses for UM1, LLC (Exclusive Cannabis Cookies) of 14750 LaPlaisance Road, H260 (Property I.D. #5812-010-228-10) from 11/03/2023-11/03/2024, as presented.

Roll call vote: Smith yes, Raymo yes, Howe yes, Manor yes, Barton yes, Janssens no, Barron yes.

Motion carried.

Consider the request of American 5 LLC to extend Quality Root's extension to obtain a State of Michigan license for a marihuana adult use retailer at 1235 S. Monroe Street (Property I.D. #5812-020-205-01).

Motion #21. Motion by Manor, supported by Raymo to table the request of American 5 LLC to extend Quality Root's extension to obtain a State of Michigan license for a marihuana adult use retailer at 1235 S. Monroe Street (Property I.D. #5812-020-205-01), as presented.

BOARD COMMENTS

Township Attorney has advised the Board as follows:

Quality Roots is the only applicant and only entity that received prequalification from the State of Michigan, as such, only Quality Roots has standing to request an extension; and
Under the Township Ordinance, only a State License is transferable, subject to approval from the Board. Because Quality Roots is not a State Licensee, it has no rights to transfer to American 5;

For these reasons, American 5 does not have standing to request an extension and such request should be denied by the Board.

Zoning Enforcement Officer/Community Development Director Kim Fortner also advised the Board that under Ordinance 140, Section 6.A, State and Local Licensing required that there was a prequalification in order to even go before the Planning Commission for approval and Quality Roots had the prequalification from the State, not American 5 LLC. American 5 LLC is the property owner.

Under section 8.1365.J, Extension to Become a State Licensee states that requests for extensions can be made by "Recreational (Adult Use) Establishments and Marihuana Facilities that have received Special Land Use and/or Site Plan approval from the Planning Commission but have not become a state licensee", so Quality Roots could ask for another extension, but not American 5 LLC on their behalf.

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NEW BUSINESS (Con't)

Trustee Manor inquired if there would be any effect from tabling this?

Ms. Fortner stated that it could be tabled only if the Ordinance were being amended.

Roll call vote: Manor yes, Raymo yes, Howe no, Smith no, Barton no, Janssens no, Barron no. **Motion denied.**

Consider the request of American 5 LLC to extend Quality Root's extension to obtain a State of Michigan license for a marihuana adult use retailer at 1235 S. Monroe Street (Property I.D. #5812-020-205-01).

Motion #22. Motion by Barton, Supported by Smith to consider the request of American 5 LLC to extend Quality Root's extension to obtain a State of Michigan license for a marihuana adult use retailer at 1235 S. Monroe Street (Property I.D. #5812-020-205-01), as presented.

Roll call vote: Barton no, Smith no, Janssens no, Howe no, Raymo yes, Manor yes, Barron no. **Motion denied.**

Re-consider the request of Michigan Pure Green LLC (Dispo) to extend the October 3, 2023 deadline to obtain a State of Michigan license for a marihuana adult use retailer for approximately an additional 7 months, or until May 31, 2024. (Zoning Enforcement Officer comments).

Motion #23. Motion by Barton, supported by Manor to re-consider the request of Michigan Pure Green LLC (Dispo) to extend the October 3, 2023 deadline to obtain a State of Michigan license for a marihuana adult use retailer for approximately an additional 7 months, or until May 31, 2024, and to include a \$100,000 performance bond to be paid within 1 week and must abide by the provided timeline for completion, as presented.

PUBLIC AND BOARD COMMENTS

Rob Piziali of Michigan Pure Green presented the Board with a timeline with a proposed completion date and gave the Board a summary of what his business is about including 6 adult use retail stores and a processing facility within the State of Michigan. He also employs 162 people and plans to employ over 50 people at the Monroe location. He also explained to the Board why there was a gap from the October 3, 2022 Planning Commission approval to April 21, 2023, when the first permit was pulled. The reasons for the delays included a change to the plans and contractor delays. He stated that there is currently \$687,000 spent on the project and anticipate to spend another \$698,000 to complete the project.

Trustee Howe asked for clarification on the amount of employees Michigan Pure Green intends on hiring for the location compared to how many employees there are in total with the company?

Mr. Piziali responded that it would be a combination of full and part time workers based on the volume of customers they anticipate.

Clerk Smith asked Mr. Piziali why weren't they better prepared with the size of the building?

Mr. Piziali stated that they reassessed and determined that they needed a larger space.

Clerk Smith also asked Mr. Piziali knowing that they had 1 year to become a state licensee why didn't they proceed with the originally approved plans and do an addition after becoming a state licensee? The

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NEW BUSINESS (Con't)

business would have more than likely would have been open and there would be no reason to ask the Board for an extension?

Mr. Piziali replied that they wanted everything lined up and didn't anticipate the amount of delays that they ran into.

Clerk Smith stated that they have stores in Benton Harbor, Michigan which is close to the Michigan/Indiana border and close to Illinois, they have a store in Camden, Michigan which is close to the Indiana/Ohio border. Clerk Smith asked what the square footage of those stores compared to what you are building here?

Mr. Piziali responded that those buildings were pre-existing and are smaller than the store in Monroe.

Nick, the Project Supervisor apprised the Board of a few issues that they've run into and stated that they need the 7-month extension due to the Michigan climate.

Trustee Howe stated that the timeline provided is very aggressive what is the confidence level that it will be completed on time?

Nick stated that the confidence level is high.

Greg, Project Foreman stated what his duties are in order to get the building to completed status.

Joslin Monahan attorney for Michigan Pure Green LLC thanked the Board for the opportunity to re-consider the request. She stated that they are only asking for 7 months citing Ordinance 8.1365.J that it allows for up to a one-year extension and offered a \$100,000 performance bond.

Zoning Enforcement Officer/Community Development Director Kim Fortner referred to her letter making note that they have made progress and that Building Official Eric Kronk has provided photos of the progress. She also noted that Michigan Pure Green is asking for less time on their extension than what was previously requested.

Trustee Howe asked for an amendment to the motion to include the bond and timeline.

Treasurer Barton and Trustee Manor agreed to that amendment to the motion.

Roll call vote: Barton no, Manor yes, Smith no, Howe yes, Janssens no, Raymo no, Barron yes. **Motion denied.**

Approve Opioid Settlement Funds and Management Agreement between Monroe Charter Township and Paula's House.

Motion #24. Motion by Smith, supported by Barton to approve Opioid Settlement Funds and Management Agreement between Monroe Charter Township and Paula's House, as presented.

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

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NEW BUSINESS (Con't)

Consider purchasing Speed Radar Trailer from John Thomas Inc., in the amount of \$10,510.00.

Motion #25. Motion by Howe, supported by Janssens to consider purchasing Speed Radar Trailer from John Thomas Inc., in the amount of \$10,510.00.

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

Approve use of the Township Hall for Sommerset Place Community Condominium Association for November 20, 2023.

Motion #26. Motion by Smith, supported by Raymo to approve use of the Township Hall for Sommerset Place Community Condominium Association for November 20, 2023, as presented.

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

PUBLIC COMMENTS

Public comments began at 7:49 p.m. and ended at 7:54 p.m.

Milward Beaudry addressed the Board about upcoming House Bill 4965 and the impact it can have on franchise fees and public access. He also stated that SEMCOG is encouraging municipalities to contact their representatives to encourage them to vote no on this bill.

ADJOURNMENT

Motion #27. Motion by Raymo, supported by Smith to adjourn the meeting at 7:54 p.m.

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

Attested:



Alan Barron, Supervisor
Monroe Charter Township



Christina Smith, Clerk
Monroe Charter Township