**Green Lake Township Special Board Meeting**

**Minutes**

**December 19, 2022**

**CALL TO ORDER**: Called to order at 5:00 p.m. by Supervisor Radtke.

**ROLL CALL**: West, Kramer, Marek, McDonald, Bieganowski & Radtke present. Biondo absent.

**PLEDGE**: Was recited.

**APPROVAL OF AGENDA**:

**Motion by Marek, supported by West to approve agenda as presented. Motion carried, 6-0.**

**PUBLIC COMMENT:**

Cory Boozer 2681 Tonawanda

Mr. Boozer stated he had many of his concerns resolved during a telephone call with Supervisor Radtke. Could a new petition be circulated to reverse the current proposal? To change language to a set number to be allowed.

Steve Ezell 2074 J. Maddy

Wanted to make the point that reading social media there is a feeling out there that there will not be cost sharing revenue, could township clarify? The State of Michigan has $300mil divided by municipalities who have retail marijuana. Community thinks this revenue is fabricated.

David Petrove 9988 Riley Road

(EXHIBIT A)

**NEW BUSINESS**:

**ZOA 22-004 (An Ordinance to Amend the Green Lake Township Zoning Ordinance to Concerning Recreational Marihuana Establishments.)**

Radtke introduced Bryan Graham, of counsel Young, Graham & Wendling, PC. Mr. Graham stated he is here this evening to address comments and questions.  **Motion by Kramer, supported by Marek to enact zoning ordinance #22-004. Roll Call Vote: West – yes, McDonald – yes, Marek – yes, Bieganowski – yes, Kramer – yes, Radtke – yes. Motion carried 6-0.**

**Motion Carried, 6-0.** Marek added the township has discussed this topic for years.

**ORDINANCE #12122022.1 (ORDINANCE TO AMEND RECREATIONAL MARIHUANA)**

Radtke stated this police power ordinance was postponed from last meeting for legal counsel review. Marek asked if a public ballot initiative for PPO (police power ordinance) could be held.

Radtke stated this ordinance, meets the Michigan Regulation and Taxation of Marihuana Act. There were 500 votes separating the ballot proposal. At the township level, we understand the voters have spoken and are in favor of recreational marihuana. McDonald said it does give the voters what they wanted. West thanked Cory (Boozer) for the email regarding sales of recreational marihuana. Wished he would have sent it sooner. **Motion by Marek, supported by Bieganowski to enact ordinance amendment 12122022.1 of 2022 (Ordinance to Amend Recreational Marihuana). Roll Call Vote: West – yes, McDonald – no, Marek – yes, Bieganowski – yes, Kramer – yes, Radtke – yes. Motion carried 5-1.**

**RESOLUTION #12192022.1 (RECREATIONAL MARIJUANA FEE RESOLUTION)**

Radtke shared the fee schedule is based on a cost recovery model. The $1,650.00 can be justified through actual time and materials to process the application. It is a one-time fee, and in answer to West’s question – it is not refundable. Bieganowski asked how did we got to these numbers? Mr. Graham indicated you have to have a valid fee, Michigan Supreme Court has set precedent. If expenses are incurred far below the fee, it may be challenged. Marek asked if the fee can be reviewed annually, Radtke said the current medical marijuana fee schedule was set to be reviewed this year. Kramer stated attorney fees cannot be included in the fee, she has verified with counsel. **Motion by Kramer, supported by Marek to enact RESOLUTION #12192022.1 (RECREATIONAL MARIJUANA FEE RESOLUTION) as presented with an annual fee set at $1,650.00. Roll Call Vote: West – yes, McDonald – yes, Marek – yes, Bieganowski – no, Kramer – yes, Radtke – yes. Motion carried 5-1.**

PUBLIC COMMENT:

David Petrove 9988 Riley Road

A lot of people are determined not have marihuana. History of use, dating back to the 1940’s under taxation act. Then came the war on drugs. It is legal in 26 states and Canada. Start recognizing use and decriminalize it.

Ann Taylor 5566 Penn Lock Colony

Wished for clarification on distance from a church, Radtke said 1,000 feet. Kramer added schools and daycares as well.

**ADJOURNMENT**: **Motion by Kramer, supported by McDonald to adjourn at 5:28 p.m. Carried, 5/1.**

Respectfully submitted,

Judith L. Kramer

Green Lake Township Clerk

Exhibit A.



 