



CITY COUNCIL MEETING
405 E. COLBY STREET, WHITEHALL, MI
COUNCIL CHAMBERS
October 22, 2019
6:00 p.m.

AGENDA

1. Meeting called to Order
 - A. Pledge of Allegiance
2. Approval of Agenda
3. Approval of the October 8 Work Session, Council Meeting Minutes and Closed Session Minutes
4. Approval of Accounts Payable
5. Communications: BLT Minutes, Central Dispatch, Wastewater Minutes, Zoning Ordinance Review Committee Minutes
6. Public Comment *
7. Messages from the Mayor, Council, and City Manager
 - A. Certificate of Appreciation – Edd & Lynn Whalen
 - B. Proclamation – Allison Tate, National History Day Champion
8. Unfinished Business
9. New Business
 - A. Resolution 19-37 Marijuana Facilities
 - B. Ordinance 19-03 Recreational Marihuana Facilities
 - C. Ordinance 19-04 Medical Marihuana Facilities
 - D. Resolution 19-38 Marihuana Facility Fees
 - E. Resolution 19-39 Playhouse Rental
10. Public Comment *
11. Adjournment

City of Whitehall, 405 E. Colby Street, Whitehall, MI 49461; 231-894-4048

* PUBLIC COMMENT: Citizens wishing to speak on any subject matter or with regard to items on the agenda should use this opportunity. As a courtesy to the council, come to the podium, state your name, and direct your comments to the board. Please limit comments to three minutes.

CITY OF WHITEHALL
CITY COUNCIL WORK SESSION MINUTES
October 8, 2019
5:00 p.m.

PRESENT: Scott Brown, Dick Connell, Virginia DeMumbrum, Ellie Dennis, Debi Hillebrand, and Norm Kittleson

ABSENT: Steve Salter

ALSO PRESENT: Rodger Sweeting, Brenda Bourdon, Scott Huebler, and Roger Squiers

Mayor Hillebrand called the meeting to order at 5:00 p.m. in the Garden Room.

Discussion Items

A. Single Waste Hauler – discussed options for residential service with a single waste hauler, issue of snow-birds, and concerns on bagging leaves. This will be included as a survey in the newsletter as requested by Council.

B. Playhouse Scene Shop – City Manager Huebler provided utility and maintenance costs of the Scene Shop with maintenance currently being charged to the Playhouse and utilities at roughly \$2,000 a year that are not currently charged. Huebler provided options for council to consider: budget amendment now to move money from Playhouse to the General Fund for the utilities; wait to do a mid-year budget amendment; or work it into next year's budget.

C. Council Vacancies – Discussed different options of solidifying a process for filling vacancies ranging from creating an ordinance to setting a procedure that is reviewed by each newly elected council. Options will be brought to the next work session for discussion.

D. Tricycle Park – Council Member DeMumbrum informed the group that painting the Slocum Park tennis courts would make a great Eagle Scout project, however, it is not currently Scout project season. She asked how long until the courts would otherwise be torn up and if sealing the cracks prior to winter would be wise. Huebler indicated that starting the project next year is okay, but cracks should be sealed prior to winter to prevent additional disrepair.

E. Rental Inspection Program – City Manager Huebler provided suggestions from the rental inspector on improving the rental inspection ordinance. Updates will be made for a future vote.

Public Comment:

Ray Gundy spoke in opposition of a single-waste hauler.

Sean Mullally spoke on things to consider when investigating a single-waste hauler

Peggy Clauss asked if the single-waste hauler would be unlimited.

Meeting Adjourned at 5:56 p.m.

Debra Hillebrand, Mayor

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
COUNCIL MEETING MINUTES
October 8, 2019

PRESENT: Scott Brown, Dick Connell, Virginia DeMumbrum, Ellie Dennis, Debi Hillebrand, and Norm Kittleson

ABSENT: Steve Salter

ALSO PRESENT: Rodger Sweeting, Brenda Bourdon, Scott Huebler, and Roger Squiers

Mayor Hillebrand called the meeting to order at 6:00 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

Motion by Kittleson, seconded by DeMumbrum, CARRIED, to approve the agenda. All yeses.

APPROVAL OF COUNCIL MINUTES

Motion by DeMumbrum, seconded by Brown, CARRIED, to approve the September 24th council meeting minutes. All yeses

APPROVAL OF THE ACCOUNTS PAYABLE

Motion by Connell, seconded by Dennis, CARRIED, to approve the account payables in the amount of \$138,013.69 and checks to be drawn in their several amounts.

Roll Call Vote: Yes – Connell, Dennis, DeMumbrum, Kittleson, and Hillebrand;
No – Brown; Absent – Salter

COMMUNICATIONS

White Lake Fire Authority Proposed Budget

Motion by Kittleson, seconded by Dennis, CARRIED, to approve the communication and place it on file. All yeses

PUBLIC COMMENT

Lilian Morningstar recommended not using Fredericks for City Hall upgrades.
Four students from Matiash's class introduced themselves for class credit.

MESSAGES FROM THE MAYOR, COUNCIL, AND CITY MANAGER

City Manager Huebler provided an update on the water tower, Lake Street repairs and the Splash Pad materials.

Mayor Hillebrand introduced the new student representatives and the City Clerk administered oaths of office to Carly Hubbard and Alexis Brown.

Mayor Hillebrand presented a proclamation to Prein&Newhof celebrating their 50 years in service. Barbara Marczak and Dan Sorek were present to receive the proclamation.

Council members provided comments.

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Resolution 19-34 City Hall Upgrades

Motion by Connell, seconded by Brown, to postpone resolution 19-34 City Hall Upgrades. After discussion on the best way to receive more bids on the project, both Connell and Brown withdrew their motion to postpone.

Motion by Connell, seconded by Brown, CARRIED, to request new bids for the City Hall upgrades. All yeses.

Resolution 19-34 was rejected due to lack of a motion.

B. Resolution 19-35 Playhouse Liquor Sales

Motion by Kittleson, seconded by DeMumbrum, CARRIED, to grant permission to the Friends of the Playhouse to sell beer and wine at the Playhouse on Saturday, October 26, 2019 for the Peter Yarrow concert.

Roll Call Vote: Yes – Kittleson, DeMumbrum, Connell, Dennis, and Hillebrand; No – Brown; Absent – Salter

C. Resolution 19-36 Investment Policy

Motion by Dennis, seconded by Kittleson, CARRIED, to adopt the updated Investment Policy as presented and considered part of this Resolution and that the City Treasurer be authorized to manage city funds and may invest them according to the Investment Policy and that prudent “fiduciary standard” be applied to the context of managing the overall portfolio.

Roll Call Vote: Yes – Kittleson, Dennis, DeMumbrum, Connell, Brown, and Hillebrand; No – None; Absent – Salter

CLOSED SESSION TO DISCUSS PENDING LITIGATION

Motion by Dennis, seconded by DeMumbrum, CARRIED, to go into closed session to discuss pending litigation.

Roll Call Vote: Yes – Dennis, DeMumbrum, Kittleson, Brown, Connell, and Hillebrand; No – None; Absent – Salter

Mayor Hillebrand reconvened the open meeting.

PUBLIC COMMENT

None

ADJOURNMENT

Mayor Hillebrand adjourned the Council Meeting at 6:48 pm.

Debra Hillebrand, Mayor

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
ACCOUNTS PAYABLE
October 22, 2019

October 2019 Prepaids

<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>Check No.</u>
City of Whitehall-Common Cash	Payroll	\$44,312.19	Transfer
IRS	Payroll	\$13,725.28	EFT
Alerus Financial	Payroll	\$5,245.90	7215
MISDU	Payroll	\$90.34	7216
FOP-CD Hammond #99	Payroll	\$69.39	7217
Teamsters Local 214	Payroll	\$341.00	7218
	<u>Total Prepaids:</u>	\$63,784.10	

TOTAL ACCOUNTS PAYABLE

\$137,427.84

User: ALYSSA

EXP CHECK RUN DATES 10/18/2019 - 10/18/2019

DB: Whitehall

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

CITY OF WHITEHALL ACCOUNTS PAYABLE

COUNCIL MEETING OF OCTOBER 22, 2019

Vendor Code	Vendor Name	Description	Amount
AFLAC	AFLAC		
	795908	PREMIUM - OCT-2019	646.54
TOTAL FOR: AFLAC			646.54
AIREM	AIRE-MASTER		
	11501-11391	DEODORIZER SERVICE	174.00
TOTAL FOR: AIRE-MASTER			174.00
SEAV	ALYSSA SEAVER		
	FLEX	FLEX - OCT-2019	404.99
	STATEMENT	MILEAGE - MMTA 2019	139.20
TOTAL FOR: ALYSSA SEAVER			544.19
BARR	BARR ENGINEERING CO		
	22611022.01-18	PROFESSIONAL SVCS FROM JULY 1, 2019 - SEPT 30	1,926.92
TOTAL FOR: BARR ENGINEERING CO			1,926.92
BEAM	BETH BEAMAN		
	STATEMENT	REIMBURSEMENT - SCENE SHOP SHELVING	320.77
TOTAL FOR: BETH BEAMAN			320.77
MAHON	BRANDON L MAHONEY		
	FLEX	FLEX - OCT-2019	46.33
TOTAL FOR: BRANDON L MAHONEY			46.33
BOU	BRENDA BOURDON		
	FLEX	FLEX - OCT-2019	24.43
TOTAL FOR: BRENDA BOURDON			24.43
ARMST	BRIAN ARMSTRONG		
	FLEX	FLEX - OCT-2019	72.19
TOTAL FOR: BRIAN ARMSTRONG			72.19
BUS	BUSINESS & COMPUTER HUB		
	STATEMENT	PRINTING - WMCJTC/TO BE REIMBURSED	470.28
TOTAL FOR: BUSINESS & COMPUTER HUB			470.28
CHART	CHARTER COMMUNICATIONS		
	0031219100119	INTERNET	390.77
	0038420100519	INTERNET	74.99
TOTAL FOR: CHARTER COMMUNICATIONS			465.76
MAHOC	CHRIS MAHONEY		
	FLEX	FLEX - OCT-2019	120.00
TOTAL FOR: CHRIS MAHONEY			120.00
CITY	CITY OF WHITEHALL		
	JUL-SEPT-2019	WATER BILLS/JUL-SEPT - 2019	14,419.72
TOTAL FOR: CITY OF WHITEHALL			14,419.72
MISC	COMFORT INN & SUITES		
	STATEMENT	PERFORMERS/LODGING - RONNY COX	211.54
TOTAL FOR: COMFORT INN & SUITES			211.54

Vendor Code	Vendor Name	Description	Amount
CONSU	CONSUMER'S ENERGY		
	STATEMENT	UTILITIES	7,997.02
TOTAL FOR: CONSUMER'S ENERGY			7,997.02
DAN	DAN FROST DBA DAN'S AUTOMOTIVE		
	7136-7166-7119	CRUISER MAINTENANCE	457.65
TOTAL FOR: DAN FROST DBA DAN'S AUTOMOTIVE			457.65
MISC	DOLLAR GENERAL		
	STATEMENT	PET SUPPLIES - DOG KENNEL	4.08
TOTAL FOR: DOLLAR GENERAL			4.08
DRAMA	DRAMATIC PUBLISHING		
	28748	ROYALTY - THE VELVETEEN RABBIT	180.00
TOTAL FOR: DRAMATIC PUBLISHING			180.00
EDW	EDWARDS JANITORIAL SERVICE LLC		
	WHDPW 2019-10	OFFICE CLEANING - DPW & CITY HALL	623.71
TOTAL FOR: EDWARDS JANITORIAL SERVICE LLC			623.71
ETNA	ETNA SUPPLY INC		
	S103266925.001	GEL CAP CONNECTORS	29.50
TOTAL FOR: ETNA SUPPLY INC			29.50
MISC	FOR CREPE SAKE		
	STATEMENT	STATE SUMMIT - MEAL	19.50
TOTAL FOR: FOR CREPE SAKE			19.50
FRONT	FRONTIER		
	STATEMENT	TELEPHONE	109.89
	STATEMENT	TELEPHONE	39.11
TOTAL FOR: FRONTIER			149.00
H2O	H2O TOWERS LLC		
	1776	WATER TOWER CLEANING	3,000.00
TOTAL FOR: H2O TOWERS LLC			3,000.00
HEAR	HEARING LOOP SYSTEMS		
	111637	HEARING LOOP RECEIVERS - QTY 5	500.00
TOTAL FOR: HEARING LOOP SYSTEMS			500.00
JOHNS	JOHNSON OUTDOOR DIGITAL		
	4781	PLAYHOUSE SIGN REPAIR	80.00
TOTAL FOR: JOHNSON OUTDOOR DIGITAL			80.00
KENNE	KENNEDY INDUSTRIES INC		
	613772	PUMP STATION #2 FIELD SVC	870.00
TOTAL FOR: KENNEDY INDUSTRIES INC			870.00
MISC	KIEL'S MUSIC		
	STATEMENT	PIANO TUNING - BABY GRAND	125.00
TOTAL FOR: KIEL'S MUSIC			125.00

User: ALYSSA

EXP CHECK RUN DATES 10/18/2019 - 10/18/2019

DB: Whitehall

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

CITY OF WHITEHALL ACCOUNTS PAYABLE

COUNCIL MEETING OF OCTOBER 22, 2019

Vendor Code	Vendor Name	Description	Amount
MEEKH	MEEKHOF TIRE OF MUSKEGON INC		
	738132-81	SERVICE/REPAIR - LOADER	348.75
TOTAL FOR: MEEKHOF TIRE OF MUSKEGON INC			348.75
MICPA	MICHIGAN ASSOC OF CPAS		
	510753	WEBINAR - ETHICS	118.00
TOTAL FOR: MICHIGAN ASSOC OF CPAS			118.00
MUCTR	MUSKEGON CENTRAL DISPATCH		
	1900000002	VIRTUAL SERVER & DESKTOP SOFTWARE	527.37
	I-2019-072	VIRTUAL SERVER/DESKTOP SOFTWARE	527.30
TOTAL FOR: MUSKEGON CENTRAL DISPATCH			1,054.67
MUTRE	MUSKEGON COUNTY TREASURER'S		
	0000175302	DOG TAGS - SEPT-2019	258.00
TOTAL FOR: MUSKEGON COUNTY TREASURER'S			258.00
PROM	PROFESSIONAL MED TEAM INC		
	1930614	BLOOD DRAW	75.00
TOTAL FOR: PROFESSIONAL MED TEAM INC			75.00
MISC	RADISSON		
	50591666	CONFERENCE/LODGING	66.05
TOTAL FOR: RADISSON			66.05
RAYME	RAYMER COMPANY		
	21149	WELL & PUMP INSPECTIONS	1,000.00
TOTAL FOR: RAYMER COMPANY			1,000.00
REP	REPUBLIC SERVICES #240		
	0240-007680969	WASTE REMOVAL - DPW, CITY HALL & PLAYHOUSE	306.00
TOTAL FOR: REPUBLIC SERVICES #240			306.00
RYKES	RYKES BAKERY		
	67603	EMPLOYEE MEETING	41.60
TOTAL FOR: RYKES BAKERY			41.60
SAMS	SAM'S CLUB/GECF		
	STATEMENT	SOAP & TABLES-QTY 10	1,016.26
TOTAL FOR: SAM'S CLUB/GECF			1,016.26
SBAM	SBAM PLAN		
	STATEMENT	PREMIUM - NOV-2019	19,691.99
TOTAL FOR: SBAM PLAN			19,691.99
SCAL	SCALETRON INDUSTRIES LTD		
	19337	DRUM SCALE	2,960.59
TOTAL FOR: SCALETRON INDUSTRIES LTD			2,960.59
HUEBL	SCOTT HUEBLER		
	FLEX	FLEX - OCT-2019	73.00
TOTAL FOR: SCOTT HUEBLER			73.00

Vendor Code	Vendor Name	Description	Amount
MISC	SOARING EAGLE		
	STATEMENT	ROOM & MEAL - TRAINING/MMCA	13.84
TOTAL FOR: SOARING EAGLE			13.84
MISC	SOFTWAREPROWORLD.COM		
	100137488	MICROSOFT OFFICE 2019 - DON, PAUL, BRIAN, ALY	187.96
TOTAL FOR: SOFTWAREPROWORLD.COM			187.96
STAPL	STAPLES CREDIT PLAN		
	STATEMENT	OFFICE SUPPLIES	375.83
TOTAL FOR: STAPLES CREDIT PLAN			375.83
THTIX	THUNDERTIX		
	STATEMENT	SUBSCRIPTION-GROWING BUSINESS	193.69
TOTAL FOR: THUNDERTIX			193.69
TRACE	TRACE ANALYTICAL LABS		
	9100127-9100175	TESTING	62.00
TOTAL FOR: TRACE ANALYTICAL LABS			62.00
TRUCK	TRUCK & TRAILER SPECIALTIES		
	DJO002209	REPAIR - #12-18	61.50
TOTAL FOR: TRUCK & TRAILER SPECIALTIES			61.50
USPOS	UNITED STATES POSTMASTER		
	STATEMENT	OUNCE STAMPS - QTY 200	30.00
TOTAL FOR: UNITED STATES POSTMASTER			30.00
UBMISC	VANDERLAAN KASSY		
	10/10/2019	UB refund for account: 005-01561-00	15.20
TOTAL FOR: VANDERLAAN KASSY			15.20
VERIZ	VERIZON WIRELESS		
	9839044242	ON CALL PAGER	12.15
TOTAL FOR: VERIZON WIRELESS			12.15
VRE	VREDEVELD HAEFNER LLC		
	4556	AUDIT	1,500.00
TOTAL FOR: VREDEVELD HAEFNER LLC			1,500.00
WALMART	WALMART		
	STATEMENT	CITY HALL/DECOR	7.65
	STATEMENT	MEETING - CENTRAL DISPATCH	20.69
TOTAL FOR: WALMART			28.34
WLASS	WHITE LAKE ASSOCIATION		
	STATEMENT	NO WAKE BUOY FUNDING	200.00
TOTAL FOR: WHITE LAKE ASSOCIATION			200.00
WLEXC	WHITE LAKE EXCAVATING		
	61683	SAWCUT/REMOVE ROAD & GRAVEL/ASPHALT RESTORATI	2,510.00
TOTAL FOR: WHITE LAKE EXCAVATING			2,510.00

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User: ALYSSA
DB: Whitehall

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF WHITEHALL
EXP CHECK RUN DATES 10/18/2019 - 10/18/2019
BOTH JOURNALIZED AND UNJOURNALIZED
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Vendor Code	Vendor Name	Description	Amount
WHIVE	WHITEHALL VENTURES INC		
	OCT-2019	LEASE - OCT-2019	145.00
TOTAL FOR: WHITEHALL VENTURES INC			145.00
WINBE	WINBERG CONSTRUCTION		
	17-037-020	PLAYHOUSE RENOVATIONS - PAY AP#20	6,609.75
TOTAL FOR: WINBERG CONSTRUCTION			6,609.75
WORKBOX	WORKBOX STAFFING		
	174744-175038	TEMPORARY SERVICES - CLEMENT	930.44
TOTAL FOR: WORKBOX STAFFING			930.44
WORKP	WORKPLACE HEALTH MUSKEGON		
	210842	DOT PHYSICAL - BOND & THRONE	180.00
TOTAL FOR: WORKPLACE HEALTH MUSKEGON			180.00
WZZM13	WZZM		
	1766893-5	SOCIAL POSTS	100.00
TOTAL FOR: WZZM			100.00
TOTAL - ALL VENDORS			73,643.74

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL
 EXP CHECK RUN DATES 10/18/2019 - 10/18/2019
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 CITY OF WHITEHALL ACCOUNTS PAYABLE
 COUNCIL MEETING OF OCTOBER 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 101 GENERAL OPERATING FUND					
Dept 000 648					
101-000-082.000	PRINTING/WMCJTC - DUE FROM OS	BUSINESS & COMPUTER HUB	09/16/19	STATEMENT	470.28
101-000-259.004	DUE TO FLEX FUND	ALYSSA SEAVER	10/31/19	FLEX	404.99
101-000-259.004	DUE TO FLEX FUND	BRANDON L MAHONEY	10/31/19	FLEX	46.33
101-000-259.004	DUE TO FLEX FUND	BRENDA BOURDON	10/31/19	FLEX	24.43
101-000-259.004	DUE TO FLEX FUND	BRIAN ARMSTRONG	10/31/19	FLEX	72.19
101-000-259.004	DUE TO FLEX FUND	CHRIS MAHONEY	10/31/19	FLEX	120.00
101-000-259.004	DUE TO FLEX FUND	SCOTT HUEBLER	10/31/19	FLEX	73.00
101-000-259.005	DUE TO ALFAC	AFLAC	10/12/19	795908	646.54
101-000-259.007	DUE TO COUNTY-DOG TAGS	MUSKEGON COUNTY TREASURE	10/15/19	0000175302	258.00
Total For Dept 000 648					2,115.76
Dept 101 CITY COUNCIL					
101-101-962.000					
OTHER EXPENSES					
		STAPLES CREDIT PLAN	09/27/19	STATEMENT	26.15
Total For Dept 101 CITY COUNCIL					26.15
Dept 111 CITY CLERK					
101-111-727.000					
OFFICE SUPPLIES					
		STAPLES CREDIT PLAN	09/27/19	STATEMENT	19.72
101-111-957.000					
MEAL-MMCA					
		SOARING EAGLE	09/12/19	STATEMENT	13.84
Total For Dept 111 CITY CLERK					33.56
Dept 172 ADMINISTRATION					
101-172-727.000					
OFFICE SUPPLIES					
		STAPLES CREDIT PLAN	09/27/19	STATEMENT	186.87
101-172-728.000					
POSTAGE & COPYING					
		UNITED STATES POSTMASTER	10/10/19	STATEMENT	30.00
101-172-818.000					
CONTRACTUAL SERVICES					
		MUSKEGON CENTRAL DISPATC	10/11/19	1900000002	527.37
101-172-850.000					
TELEPHONE					
		MUSKEGON CENTRAL DISPATC	10/08/19	I-2019-072	527.30
101-172-873.000					
CENTRAL DISPATCH MEETING					
		WALMART	09/11/19	STATEMENT	20.69
101-172-957.000					
MILEAGE - MMTA 2019					
		ALYSSA SEAVER	10/17/19	STATEMENT	139.20
101-172-957.000					
CONFERENCES & WORKSHOPS					
		COMFORT INN & SUITES	09/08/19	STATEMENT	211.54
101-172-957.000					
CONFERENCES/MEAL					
		FOR CREPE SAKE	09/16/19	STATEMENT	19.50
101-172-957.000					
CONFERENCES & WORKSHOPS					
		MICHIGAN ASSOC OF CPAS	08/30/19	510753	118.00
101-172-957.000					
CONFERENCES & WORKSHOPS					
		RADISSON	09/15/19	50591666	66.05
101-172-976.000					
EQUIPMENT					
		SOFTWAREPROWORLD.COM	09/19/19	100137488	47.00
Total For Dept 172 ADMINISTRATION					1,893.52
Dept 195 ELECTIONS					
101-195-727.000					
OFFICE SUPPLIES					
		STAPLES CREDIT PLAN	09/27/19	STATEMENT	17.26
Total For Dept 195 ELECTIONS					17.26
Dept 265 CITY HALL BLDG & GROUNDS					
101-265-757.000					
SOAP					
		SAM'S CLUB/CECF	10/07/19	STATEMENT	16.46
101-265-757.000					
CITY HALL/DECOR					
		WALMART	09/27/19	STATEMENT	7.65
101-265-818.700					
CITY HALL OFFICE CLEANING					
		EDWARDS JANITORIAL SERVI	10/04/19	WHDPW 2019-10	386.53
101-265-920.000					
PUBLIC UTILITIES					
		CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	223.70
101-265-920.000					
PUBLIC UTILITIES					
		CONSUMER'S ENERGY	09/30/19	STATEMENT	913.09
Total For Dept 265 CITY HALL BLDG & GROUNDS					1,547.43
Dept 276 CEMETERY					
101-276-818.700					
CONTRACTUAL SERVICES-TEMPORARY					
		WORKBOX STAFFING	10/13/19	174744-175038	465.22
101-276-920.000					
PUBLIC UTILITIES					
		CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	26.16
Total For Dept 276 CEMETERY					491.38

INVOICE GL DISTRIBUTION REPORT FOR CITY OF WHITEHALL
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 CITY OF WHITEHALL ACCOUNTS PAYABLE
 COUNCIL MEETING OF OCTOBER 22, 2019

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 101 GENERAL OPERATING FUND					
Dept 301 POLICE					
101-301-727.000	OFFICE SUPPLIES	STAPLES CREDIT PLAN	09/27/19	STATEMENT	25.42
101-301-757.000	OPERATING SUPPLIES	DOLLAR GENERAL	08/29/19	STATEMENT	4.08
101-301-920.000	UTILITIES-EMERGENCY STRENS	CONSUMER'S ENERGY	09/30/19	STATEMENT	18.73
101-301-933.000	OIL/FILTER 2008 IMPALA	DAN FROST DEA DAN'S AUTO	10/02/19	7136-7166-7119	457.65
101-301-962.300	MEDICAL	PROFESSIONAL MED TEAM IN	10/01/19	1930614	75.00
		Total For Dept 301 POLICE			580.88
Dept 448 STREET LIGHTING					
101-448-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	09/30/19	STATEMENT	5,871.82
		Total For Dept 448 STREET LIGHTING			5,871.82
Dept 525 SANITATION					
101-525-818.000	WASTE REMOVAL	REPUBLIC SERVICES #240	09/30/19	0240-007680969	60.00
		Total For Dept 525 SANITATION			60.00
Dept 751 PARKS DEPARTMENT					
101-751-818.700	CONTRACTUAL SERVICES-TEMPORARY	WORKBOX STAFFING	10/13/19	174744-175038	465.22
101-751-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	12,039.18
101-751-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	09/30/19	STATEMENT	450.44
		Total For Dept 751 PARKS DEPARTMENT			12,954.84
Dept 752 PATHWAY					
101-752-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	185.74
		Total For Dept 752 PATHWAY			185.74
Dept 777 119 S BALDWIN ST					
101-777-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	6.96
		Total For Dept 777 119 S BALDWIN ST			6.96
Dept 851 FRINGE BENEFITS					
101-851-719.600	FRINGE-HEALTH INS	SEAM PLAN	10/17/19	STATEMENT	18,257.89
101-851-719.601	FRINGE BENEFITS-RETIREE HEALTH	SEAM PLAN	10/17/19	STATEMENT	1,434.10
101-851-719.685	EMPLOYEE MEETING	RYKES BAKERY	09/10/19	67603	41.60
		Total For Dept 851 FRINGE BENEFITS			19,733.59
Dept 896 OTHER EXPENSES					
101-896-962.000	NO WAKE BUOY	WHITE LAKE ASSOCIATION	10/14/19	STATEMENT	200.00
		Total For Dept 896 OTHER EXPENSES			200.00
Fund 202 MAJOR STREET FUND					
Dept 463 ROUTINE MAINT					
202-463-719.000	FRINGE BENEFITS	WORKPLACE HEALTH MUSKEGO	09/30/19	210842	90.00
202-463-757.000	OPERATING SUPPLIES	SOFTWAREPROWORLD.COM	09/19/19	100137488	35.24
		Total For Dept 463 ROUTINE MAINT			125.24
		Total For Fund 101 GENERAL OPERATING FUND			45,718.89
Fund 203 LOCAL STREET FUND					
Dept 463 ROUTINE MAINT					
203-463-719.000	FRINGE BENEFITS	WORKPLACE HEALTH MUSKEGO	09/30/19	210842	90.00
		Total For Dept 463 ROUTINE MAINT			90.00
		Total For Fund 202 MAJOR STREET FUND			125.24

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GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 203 LOCAL STREET FUND					
Dept 463 ROUTINE MAINT					
203-463-757.000	OPERATING SUPPLIES	SOFTWAREPROWORLD.COM	09/19/19	100137488	35.24
				Total For Dept 463 ROUTINE MAINT	125.24
Fund 243 BROWNFIELD REDEVELOPMENT AUTHORITY					
Dept 000 648					
243-000-820.000	ENGINEERING FEES	BARR ENGINEERING CO	10/14/19	22611022.01-18	1,926.92
				Total For Dept 000 648	1,926.92
Fund 245 TAX INCREMENT FINANCE AUTHORITY #3					
Dept 000 648					
245-000-818.400	CONTRACTUAL SERVICES-DOWNTOWN R	WHITEHALL VENTURES INC	10/31/19	OCT-2019	145.00
245-000-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	20.00
				Total For Dept 000 648	165.00
Dept 300 DOWNTOWN STREETSCAPE					
245-300-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	730.70
245-300-921.000	ELECTRICAL-PEDESTRIAN LIGHTS	CONSUMER'S ENERGY	09/30/19	STATEMENT	103.28
				Total For Dept 300 DOWNTOWN STREETSCAPE	833.98
Fund 580 PLAYHOUSE					
Dept 000 648					
580-000-727.000	OFFICE SUPPLIES	STAPLES CREDIT PLAN	09/27/19	STATEMENT	26.81
580-000-757.400	OPERATING-YOUTH THREATRE	DRAMATIC PUBLISHING	10/14/19	28748	180.00
580-000-775.000	SCENE SHOP SHELVING	BETH BEAMAN	10/16/19	STATEMENT	320.77
580-000-805.000	MARKETING	WZZM	09/30/19	1766893-5	100.00
580-000-818.000	CONTRACTUAL SERVICES-	JOHNSON OUTDOOR DIGITAL	08/16/19	4781	80.00
580-000-818.400	WASTE REMOVAL	REPUBLIC SERVICES #240	09/30/19	0240-007680969	50.00
580-000-818.400	CONTRACTUAL SERVICES-MUSIC	KIEL'S MUSIC	10/17/19	STATEMENT	125.00
580-000-850.000	TELEPHONE	CHARTER COMMUNICATIONS	10/01/19	0031219100119	275.79
580-000-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	377.32
580-000-965.000	TICKET AGENT FEES	CONSUMER'S ENERGY	09/30/19	STATEMENT	550.03
580-000-976.000	EQUIPMENT	THUNDERTEX	09/23/19	STATEMENT	193.69
580-000-976.000	TABLES - Qty 10	HEARING LOOP SYSTEMS	10/01/19	111637	500.00
580-000-976.000	EQUIPMENT	SAM'S CLUB/GEFC	10/07/19	STATEMENT	999.80
		WINBERG CONSTRUCTION	10/10/19	17-037-020	6,609.75
				Total For Dept 000 648	10,388.96
Fund 590 SEWER FUND					
Dept 560 SEWER ADMINISTRATION					
590-560-727.000	OFFICE SUPPLIES	SOFTWAREPROWORLD.COM	09/19/19	100137488	35.24
				Total For Dept 560 SEWER ADMINISTRATION	35.24
Dept 562 SEWER CUSTOMER ACCOUNTS					
590-562-850.000	TELEPHONE	CHARTER COMMUNICATIONS	10/01/19	0031219100119	57.49

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Fund 590 SEWER FUND					
Dept 562 SEWER CUSTOMER ACCOUNTS					
Dept 564 SEWER PUMPING					
590-564-818.000	CONTRACTUAL SERVICES	KENNEDY INDUSTRIES INC	10/05/19	613772	57.49
590-564-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	09/30/19	STATEMENT	870.00
590-564-920.000	PUBLIC UTILITIES	FRONTIER	10/01/19	STATEMENT	39.99
					39.11
					949.10
Dept 568 SEWER T & D					
590-568-850.000	TELEPHONE	VERIZON WIRELESS	09/28/19	9839044242	6.07
Dept 570 SEWER CONSTRUCTION					
590-570-818.000	CONTRACTUAL SERVICES	WHITE LAKE EXCAVATING	10/05/19	61683	6.07
					300.00
					300.00
					1,347.90
Fund 591 WATER FUND					
Dept 000 648					
591-000-215.000	Water	VANDERLAAN KASSY	10/10/19	10/10/2019	15.20
					15.20
Dept 540 WATER ADMINISTRATION					
591-540-727.000	OFFICE SUPPLIES	SOFTWAREPROWORLD.COM	09/19/19	100137488	35.24
591-540-807.000	AUDIT FEE	VREDEVELD HAEFNER LLC	09/30/19	4556	1,500.00
					1,535.24
Dept 542 WATER CUSTOMER ACCOUNTS					
591-542-850.000	TELEPHONE	CHARTER COMMUNICATIONS	10/01/19	0031219100119	57.49
					57.49
Dept 546 WATER SOURCE PLANT					
591-546-757.000	OPERATING SUPPLIES	SCALETRON INDUSTRIES LTD	10/08/19	19337	2,960.59
591-546-801.000	WELL & PUMP INSPECTIONS	RAYMER COMPANY	10/09/19	21149	1,000.00
591-546-818.100	CONTRACTUAL SERVICES	H2O TOWERS LLC	10/07/19	1776	3,000.00
591-546-818.100	CONTRACTUAL SERVICES	TRACE ANALYTICAL LABS	10/03/19	9100127-9100175	62.00
					7,022.59
Dept 548 WATER T & D					
591-548-850.000	TELEPHONE	VERIZON WIRELESS	09/28/19	9839044242	6.08
					6.08
Dept 550 WATER CONSTRUCTION					
591-550-757.000	OPERATING SUPPLIES	ETNA SUPPLY INC	10/09/19	S103266925.001	29.50
591-550-818.000	CONTRACTUAL SERVICES	WHITE LAKE EXCAVATING	10/05/19	61683	2,210.00
					2,239.50
Fund 594 MARINA FUND					
Dept 000 648					
594-000-818.000	DEODORIZER SERVICE	AIRE-MASTER	09/24/19	11501-11391	10,876.10
					174.00

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Fund 594 MARINA FUND					
Dept 000 648	TELEPHONE	CHARTER COMMUNICATIONS	10/05/19	0038420100519	74.99
594-000-850.000	TELEPHONE	FRONTIER	10/10/19	STATEMENT	49.09
594-000-850.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	427.60
594-000-920.000	PUBLIC UTILITIES	CONSUMER'S ENERGY	09/30/19	STATEMENT	49.64
		Total For Dept 000 648			775.32
		Total For Fund 594 MARINA FUND			775.32
Fund 661 MOTOR POOL FUND					
Dept 000 648	OFFICE SUPPLIES	STAPLES CREDIT PLAN	09/27/19	STATEMENT	73.60
661-000-727.000	WASTE REMOVAL	REPUBLIC SERVICES #240	09/30/19	0240-007680969	196.00
661-000-818.000	DPW OFFICE CLEANING	EDWARDS JANITORIAL SERVI	10/04/19	WHDPW 2019-10	237.18
661-000-850.000	TELEPHONE	FRONTIER	10/10/19	STATEMENT	60.80
661-000-920.000	PUBLIC UTILITIES	CITY OF WHITEHALL	09/30/19	JUL-SEPT-2019	382.36
661-000-933.000	EQUIPMENT MAINTENANCE	MEERHOF TIRE OF MUSKOGON	10/09/19	738132-81	348.75
661-000-933.000	EQUIPMENT MAINTENANCE	TRUCK & TRAILER SPECIALT	10/01/19	D00002209	61.50
		Total For Dept 000 648			1,360.19
		Total For Fund 661 MOTOR POOL FUND			1,360.19

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				Fund Totals:	
				Fund 101 GENERAL OPERATING FUND	45,718.89
				Fund 202 MAJOR STREET FUND	125.24
				Fund 203 LOCAL STREET FUND	125.24
				Fund 243 BROWNFIELD REDEVELOPME	1,926.92
				Fund 245 TAX INCREMENT FINANCE	998.98
				Fund 580 PLAYHOUSE	10,388.96
				Fund 590 SEWER FUND	1,347.90
				Fund 591 WATER FUND	10,876.10
				Fund 594 MARINA FUND	775.32
				Fund 661 MOTOR POOL FUND	1,360.19

Total For All Funds:

73,643.74

**CITY OF WHITEHALL
BROWNFIELD, LDFA, TIFA
October 10, 2019**

PRESENT

M. Guinon, D. Hillebrand, J. McDowell, D. Nordlund, P. Voss

ABSENT

S. Cook, D. Copley, D. Hain, G. Langlois, K. Mahoney, M. McDermott

ALSO PRESENT

Treasurer L. Audo, Director/Secretary S. Huebler

Member McDowell called the meeting to order at 12:06 p.m.

APPROVAL OF AGENDA

Motion by Guinon, second by Hillebrand, CARRIED, to approve the agenda as submitted. All ayes.

APPROVAL OF MINUTES

Motion by Nordlund, second by Hillebrand, CARRIED, to approve the July 11, 2019 minutes as submitted. All ayes.

COMMUNICATIONS

Huebler provided an update on Phase IV (North Mears Parking Lot) to include an electric car charging station, expanded event center, and alley improvements. Preliminary designs will be brought back to TIFA for review.

UNFINISHED BUSINESS

The WaterDog Project is still moving forward. None of the downtown businesses took advantage of the ADA accessibility assessment grant.

NEW BUSINESS

A. Lapham Façade Grant Request

Motion by Nordlund, second by Guinon, CARRIED, to approve a grant award of \$5,000 towards the \$15,638 roof replacement. Roll Call Vote – Ayes by Nordlund, Guinon, Voss, Hillebrand. Nays – McDowell.

While an eligible expense, there was concern raised that a roof does not improve the aesthetics of a façade.

B. Home Services Façade Grant Request

Motion by Nordlund, second by Guinon, CARRIED, to approve a grant award only for qualified expenses up to \$5,000. Roll Call Vote – Ayes by Nordlund, Guinon, Voss, Hillebrand, McDowell. Nays – none.

It was noted that the contractor is a relative and part owner of Home Services. Our guidelines prohibit fees paid to the applicant (owners and part owners), relatives, or employees. TIFA will thus reimburse for materials only.

PUBLIC COMMENT

ADJOURNMENT

There being no further business, motion by Voss, second by Hillebrand, CARRIED, to adjourn the meeting at 12:53 p.m.

DRAFT

Muskegon Central Dispatch 9-1-1
BOARD OF DIRECTORS
MEETING MINUTES
September 11, 2019

The September 11, 2019 Muskegon Central Dispatch 9-1-1 Board of Directors meeting held at Whitehall City Hall was called to order at 1:32 p.m. by Chairman Chandler.

Members present: Anthony Chandler, Dir. Admin Services/Asst to City Admin, City of Norton Shores
Sam Janson, City Manager, City of North Muskegon
Scott Huebler, City Manager, City of Whitehall
Mark Eisenbarth, County Administrator, County of Muskegon
Jeff Auch, City Manager, City of Montague
Jeff Lewis, Public Safety Director, City of Muskegon
Jared Olson, City Manager, City of Roosevelt Park
Jennifer Hodges, Township Supervisor, Muskegon Charter Township
Lori Doody, Interim City Manager, City of Muskegon Heights

Absent: Heidi Tice, Supervisor, Fruitport Charter Township
Chris McIntire, Lieutenant, Michigan State Police

Staff present: Jason Wolford, Executive Director, Muskegon Central Dispatch 9-1-1
Shawn Grabinski, Interim Executive Director, Muskegon Central Dispatch 9-1-1
Nick Martin, Operations Manager, Muskegon Central Dispatch 9-1-1
Rebecca Injerd, Administrative Assistant, Muskegon Central Dispatch 9-1-1

Others present: Ed Viverette, City of North Muskegon, Chief of Police

APPROVAL OF THE AGENDA

Moved by Ms. Hodges, seconded by Mr. Olson to approve the September 11, 2019 agenda. Motion carried.

MINUTES OF THE JULY 10, 22, 23, and August 1, 2019 MEETINGS

Moved by Mr. Janson, seconded by Mr. Huebler to approve the July 10, 22, 23 and August 1, 2019 meeting minutes. Motion carried.

REPORTS

JULY 2019 MONTHLY FINANCIALS

Moved by Mr. Huebler, seconded by Ms. Hodges to approve the July 2019 monthly financials. Motion carried.

AUGUST 2019 MONTHLY FINANCIALS

Moved by Mr. Eisenbarth, seconded by Mr. Lewis to approve the August 2019 monthly financials. Motion carried.

DIRECTOR'S REPORT

As submitted. Director Grabinski updated the group on the current status of the application process.

MCT COMMITTEE

Next meeting will be held on Tuesday, September 17, 2019. Mr. Lewis asked if there were any Motorola options. Director Grabinski stated that there were but only through a third party vendor and the committee will be considering multiple solutions.

800 MHZ IMPLEMENTATION COMMITTEE

Committee will be meeting again on September 25th with MPSCS. The group discussed in-school signal testing. Additional towers should mitigate current issues. It was suggested that members have proactive conversation with school superintendents to keep them informed.

OLD BUSINESS

BUILDING RENOVATION

Ms. Grabinski presented a two-story addition option. Mr. Lewis presented key points for consideration. Ms. Grabinski suggested revisiting Progressive AE regarding pricing on a two-story option. Her opinion is that if the pricing is comparable, the two-story option would be better for the agency. Ms. Hodges inquired as to why keeping the community room is a priority now vs. months prior. Ms. Grabinski followed up to say that there were multiple parties involved that were unaware of losing the Community Room, however it was still a viable option.

Moved by Mr. Janson, seconded by Mr. Huebler to authorize administration to hire professional services at an amount at or below \$10,000 to design and estimate a two-story addition and amend FY2020 budget accordingly. Motion carried.

FY2019 BUDGET REVISION

Moved by Mr. Janson, seconded by Mr. Auch to approve the requested FY2019 budget amendments to accounts 403 and 573 as presented. Motion carried.

NEW BUSINESS

BANDWIDTH SERVICE AGREEMENT

Presented recommendation along with quotes. Mr. Janson stated bandwidth issues are largely due to body cams and may not be fair to agencies not using them.

Moved by Mr. Huebler, seconded by Ms. Hodges to approve the purchase of additional bandwidth and contract with Everstream for 5 years at the monthly cost of \$1500 as presented. Motion carried.

VoIP SERVICE CONTRACT

Presented outage issues and proposal.

Moved by Ms. Hodges, seconded by Mr. Auch to approve entering into a 3-year contract with Telesystems for VoIP services as presented. Motion carried.

MERS AUTHORIZED SIGNERS

Moved by Mr. Auch, seconded by Ms. Doody to approve the completion of the MERS signatories' form that allows the Chairman or Executive Director to sign for requests or changes necessary with MERS. Motion carried.

MERS HCSP PARTICIPATION AGREEMENT

Moved by Mr. Eisenbarth, seconded by Mr. Janson to enter into closed session. A roll call vote was taken. Mr. Chandler – Yes. Mr. Auch – Yes. Ms. Doody – Yes. Mr. Eisenbarth – Yes. Ms. Hodges – Yes. Mr. Huebler – Yes. Mr. Janson – Yes. Mr. Olson – Yes. Mr. Lewis – Yes. Motion carried.

Moved by Mr. Janson, seconded by Mr. Eisenbarth to come out of closed session. Motion carried.

Moved by Mr. Huebler, seconded by Mr. Auch to adopt MERS HCSP for all future employees as presented and required by law. Motion carried.

COMMENT

ADMINISTRATIVE

Director Wolford thanked all involved for help during his transition into his new position.

Mr. Huebler thanked all involved for assistance during local plane crash earlier in the week.

Ms. Grabinski asked about her contract timeline. Director Wolford requested that she continue on through the end of September. Mr. Chandler suggested that Director Wolford begin approving Ms. Grabinski's hours and contract term from this point forward.

Ms. Hodges announced Chief Wypa's retirement date of October 25th and asked that any interested parties forward applicants to her.

Ms. Doody stated the new Muskegon Heights City Manager is tentatively starting on September 23rd and she is planning on serving, yet again, as Finance Director.

PUBLIC

None.

NEXT MEETING

The next meeting will be held on Wednesday, October 9, 2019 at 1:30 p.m. at North Muskegon City Hall.

ADJOURNMENT

The meeting adjourned at 2:42 p.m.

Respectfully submitted,

Rebecca Injerd, Administrative Assistant

Date

Anthony Chandler, Chairman

Date

DRAFT

**Muskegon Municipal Wastewater Management Committee
Meeting Minutes
September 19, 2019
Muskegon Charter Township**

Members Present

Jennifer Hodges- Muskegon Township
Jerry Bartoszek - Norton Shores
Steve Biesiada, Fruitport Township
Sam Janson - City of North Muskegon
Linda Aerts, Cedar Creek Township
Jared Olson, City of Roosevelt Park
Tony Barnes, Dalton Township

Jeff Auch, City of Montague
Scott Huebler - City of Whitehall
Marcia Jeske - Fruitland Township
Frank Peterson, City of Muskegon
Doug Kadzban, City of Muskegon Hts.
Gordon Lydens, Whitehall Township

Others Present

David Johnson, Muskegon County
Mark Eisenbarth, Muskegon County Administrator
Ben VanHoeven, City of Roosevelt Park

Matt Farrar, Muskegon County
Mark Meyers, City of Norton Shores
Jim Edmonson, Muskegon Area First

Vice Chairman Sam Janson called the meeting to order at 1:35 p.m.

1. Approval of Minutes of the August 15, 2019 Meeting

Motion by Jeff Auch, seconded by Jared Olson to approve the August 15, 2019 meeting minutes as presented. Motion Carried.

Member Kadzban noted he was not in attendance in August.

2. Directors Report – David Johnson, Wastewater Director

Director Johnson summarized the August Monthly Report:

- Financial Report – Revenues are at 90% and Expenditures are at 77% of the budget
- Farm Report – The corn and soybean 2018 crops are sold
- Infrastructure – Two pumps are back and in operation and D & E beds are complete & back in service. Solar Site – Consumers Energy continues to work with the State and RFP's will go out soon. Odor Problem – an odor issue was caused when biosolids from a fellow WWTP were deposited. Straw was spread over the biosolids which remedied the odor.
- Statistical Comparisons – Average daily wastewater flow, hauled waste flow and the volume of water in the storage lagoons was higher than last year.

3. Communications

4. Unfinished Business

a. Agreement for Economic Development Services – Muskegon Area First, Inc./Muskegon County

Administrator Eisenbarth presented and explained a revised fee assessment.

Member Barnes opened discussion stating that he is hesitant to approve the contract unless a labor member from UAW or AFL had a seat on the board. Administrator Eisenbarth noted that the board has not been finalized and he believed that at one time there was a union rep. Mr. Edmonson responded that you could make a request for representation and he would take it to the board. City Manager Meyers added that Roger Wade held a union board seat at one time.

There was further discussion regarding the three-year vs five-year contract. Mr. Edmonson and Public Works Director Farrar pledged communication and improving working relationships among all members. Member Peterson encouraged all members to be engaged and keep involved.

Motion by Tony Barnes, seconded by Jennifer Hodges to approve the Agreement for Economic Development Services for three years with Muskegon Area First.

ROLL CALL VOTE:

Ayes: Auch, Peterson, Kadzban, Janson, Bartoszek, Olson, Huebler, Aerts, Biesiada, Hodges and Lydens

Nays: Barnes and Jeske

Motion Carried

5. New Business

7. Adjournment

Vice Chairman Janson adjourned the meeting at 2:13 p.m.

Respectfully submitted,

Marcia Jeske, Secretary

CITY OF WHITEHALL
ZONING ORDINANCE REVIEW COMMITTEE
October 7 Meeting Notes
3:30 p.m.

Present – B. Armstrong, D. Bedeau, S. Dillivan, K. Esh, D. Hillebrand, S. Huebler, C. Mahoney, B. Oldenburg, B. VanBergen.

Huebler explained the need for updating the City's zoning ordinances to conform to the Comprehensive Master Plan and to comply with requirements for designation as a Redevelopment Ready Community. The Committee agreed to meet monthly reviewing as much as possible for an hour. When the full review is over, the recommended revised ordinances will be submitted to the Planning Commission for review, public hearing and then submitted to the City Council for approval. Bedeau suggested, given the complete review and potential for numerous changes, holding an open house to better present the any changes and allow public input rather than the typical public hearing allowing no more than three minutes.

The Committee completed its review of Articles I, II, and III to the definition of "motel".

Copies of the Comprehensive Plan and Zoning Ordinances will be delivered to to Committee members.



CITY OF WHITEHALL

Certificate of Appreciation

to

Edd & Lynn Whalen

for

Donation of Free Little Libraries

Debra Hillebrand, Mayor
October 22, 2019



CITY OF WHITEHALL

PROCLAMATION

National History Day Winner ALLISON TATE

Whereas, The National History Day theme for 2019 was Triumph & Tragedy in History.

Whereas, Over a half million students entered the contest, with 3,000 advancing through local and state rounds to make it to the National Contest at the University of Maryland in June 2019.

Whereas, Allison Tate, Whitehall 8th grade student, spent up to 350 hours on research over a six-month period on her project entitled “A Bitter Pill to Swallow: Dr. Kelsey’s Triumph Hides an American Tragedy.”

Whereas, While the drug at the center of Allison’s project, thalidomide which was marketed as a mild sleeping pill safe even for pregnant women, was not approved by the US FDA, Allison’s approach focused on tragic stories of the children born with deformities as a result of their mothers taking it as a “sample drug” during pregnancy.

Whereas, Her unique approach and diligent research earned her 1st place in the Junior Division Individual Exhibit category.

Now, therefore, I, Debra Hillebrand, Mayor of Whitehall, congratulate Allison for her prestigious victory and historic accomplishment to be the first in Whitehall and first in Michigan since 2001 to be a National History Day Champion.

Debra Hillebrand, Mayor

CITY OF WHITEHALL
RESOLUTION 19-37
Marihuana Facilities

- WHEREAS, on November 6, 2018 Michigan voters approved Proposal 1, creating the Michigan Regulation and Taxation on Marihuana Act legalizing the recreational use of marihuana.
- WHEREAS, the Act retained the right of local governments to decide whether or not to allow marihuana facilities within their communities, as was done previously with medical marihuana facilities.
- WHEREAS, the City Council initiated an amendment to the zoning ordinances that would allow for recreational marihuana facilities.
- WHEREAS, the Planning Commission researched, discussed, developed, held a public hearing, and submitted to City Council ordinances that would allow for medical and recreational marihuana facilities.
- WHEREAS, the City Council believes it is the best interest of the City to place the issue of allowing marihuana facilities in the City before the voters.

NOW, THEREFORE, LET IT BE RESOLVED

That the Whitehall City Council does hereby direct staff and legal counsel to develop ballot language that would place the issue of allowing medical and recreational marihuana facilities in the City as developed in the proposed City Ordinances 19-03 and 19-04 and that such be done at the next legally available election.

Moved by _____, seconded by _____, and thereafter adopted by the City Council of the City of Whitehall, at a regular meeting held Tuesday, October 22, 2019 at 6:00 p.m. (___ yes, ___ no, ___ absent).

Debra Hillebrand, Mayor

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
MUSKEGON COUNTY
ORDINANCE NO. 19-03

CITY OF WHITEHALL RECREATIONAL MARIHUANA LICENSING ORDINANCE

THE CITY COUNCIL OF THE CITY OF WHITEHALL HEREBY ORDAINS:

1. Title XI, Chapter 120, Of the Code of Ordinances of the City of Whitehall, Michigan, Sections 120-01 through 120-06 are adopted as follows:

Section 120.1 Purpose and Intent. The purpose of this ordinance is to regulate and license the conduct of activity pursuant to the initiated Law 1 of 2018, as may be amended, in order to:

- A. Protect the health, welfare and safety of the general public.
- B. Establish a set of rules and regulations that are fair and equitable for those interested in establishing a facility in compliance with the Act and this Ordinance.
- C. Provide reasonable regulation pursuant to the City of Whitehall General Police Power granted to the City of Whitehall by the Michigan Constitution of 1963, ad sec.

The City of Whitehall does not intend that registration and regulation under this Ordinance be construed as finding such business and activities are legal under Federal Law. By requiring registration and compliance with the requirements as provided in this Ordinance, the City of Whitehall intends to protect, to every extent possible the public health, safety and welfare of the residents of and visitors to the City of Whitehall from harm that may result from the activity from persons who unilaterally or on the advice from their attorney determine that they may legally operate a business involved in the cultivation, possession, use, manufacture, distribution, transport, processing or dispensing of marihuana.

Nothing in this Ordinance is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution for cultivation, possession, use, manufacture, distribution, transport, processing or dispensing of marihuana not in compliance with the Acts or this Ordinance. This Ordinance is enacted pursuant to statutory authority granted by State Law and Constitution authorizing the City of Whitehall to adopt licensing ordinances and regulations securing the public health, safety, and general welfare.

Section 120.2 Definitions. For purposes of this Ordinance, terms and words defined by the Acts shall have the same meaning as provided within those Acts. Additionally, certain terms and words used herein shall have the following meanings:

- A. Applicant: means the person who applies for licensing under this Ordinance and includes all officers, directors, managerial employees and all persons who hold direct or indirect interest in the applicant.
- B. Grower: means a licensee that is a commercial entity located in the state that cultivates, dries, trims, cures, or packages marihuana for sale to a process center or provisioning center.
- C. Licensee: means person holding a license from the City under this Ordinance and also holding a State Operating License.
- D. Marihuana Facility : means a location at which a license holder is licensed to operate under this Ordinance and the Acts.
- E. Marihuana Infused Product: means a topical formulation, tincture, beverage, edible substance or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation.
- F. Marihuana: means marihuana grown, used, or transferred for recreational use as defined by the Acts.
- G. Provisioning Center/Facility: means a licensee that is a commercial entity located in the City that purchases marihuana from a grower or processor and sells, supplies or provides marihuana to the public at large. Provisioning Center includes any commercial property where marihuana is sold at retail.
- H. Marihuana Processor: means a licensee that is a commercial entity located in this State that purchases marihuana from a grower and extracts resin from the marihuana or creates the marihuana infused product for sale in transfer and packaged form to a provisioning center.
- I. Marihuana Safety Facility: means a licensee that receives marihuana from a marihuana facility and tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and returns the marihuana to the marihuana facility.
- J. Microbusiness: means a licensee that cultivates not more than 150 plants, processes and packages same and includes retail sale or transfer only to individuals 21 years of age or older but not to other marihuana establishments and is limited to one location.

K. Secure Transporter: means a licensee that is a commercial entity that is located in the State that transports marihuana, with or without storage, between Marihuana Facilities for a fee.

L. State Operating License: means a license that is issued under the Acts that allows the Licensee to operate as a Marihuana Facility.

Section 120.3 **Opt-In Provision.** Pursuant to the Act, the City of Whitehall will hereby opt in to the Recreational Marihuana Facilities Act and hereby repeals Ordinance No. 18-07 in its entirety. The City hereby declines to authorize and hereby prohibits any and all onsite consumption of product of any type, any and all Designated Consumption Establishments (as established by LARA), and /or any authority to approve any temporary or permanent marijuana event (as established by LARA).

Section 120.4 **Permit Required for Activity.**

A. Any person or entity that wishes to operate as a Marihuana Facility in the City shall obtain a Permit and must obtain a State Operating License from Licensing and Regulatory Affairs prior to opening or operating.

B. The application and inspection fee for the Permit required by this section shall be as set from time to time by the City by resolution.

C. In addition to an annual reapplication and inspection fee, the City may assess an annual fee of no more than \$5,000 to help defray the administrative and enforcement costs associated with the operation of the Facilities operating in the City.

D. No permit issued under this section shall be transferable.

E. All Permits issued under this section shall be renewed annually and subject to annual inspection and renewal fees as set from time to time by the City by resolution.

F. The City may limit the number of Permits issued under this section, and may revise this limit from time to time.

G. A person or entity that receives a Permit under this section shall display its Permit and, when issued, its State Facility License in plain view clearly visible to City officials and the State Marihuana Licensing Board authorized agents.

H. No person or entity that opened or operated a facility doing business or purporting to do business prior to the adoption of this ordinance shall be considered a lawful use.

I. In addition to the forgoing, Marihuana Facility Applications shall contain the following information:

1. The exact location of the facility used for marihuana including the space within the building which shall be clearly identified on the license and application;
2. Issuance of a license does not waive any other licensing, permit or requirements or zoning restrictions by any other State or local law;
3. The license shall be valid for the calendar year it was issued, unless revoked for violations, in which case it is considered to be null and void.

Section 120.5 Regulations for Marihuana Growers

A. A marihuana grower shall comply at all times with the Acts and Administrative Rules as they may be promulgated and amended from time to time by LARA.

B. A marihuana grower shall have at all times a valid license from the State Licensing Board created by the Act.

C. A marihuana grower may grow no more marihuana plants than allowed pursuant to its license from the State Marihuana Licensing Board for one of the following classes:

1. For microbusiness up to 150 plants
2. For class A marihuana grower up to 100 plants
3. For class B marihuana grower up to 500 plants
4. For class C marihuana grower up to 2000 plants

D. Growers may only transfer plants, seeds, other product to other facilities as set forth in the Act and are prohibited from any other transfers not specifically endorsed by the enabling regulations issued by LARA, and under no other circumstances.

E. All marihuana plants must be contained within the Grow Facility in an enclosed, restricted, locked facility that prevents access by other persons than those allowed and otherwise meet all State requirements.

F. Any artificial lighting must be shielded to prevent glare, must not be visible from adjacent properties, the street or public rights of way.

G. All activity shall be conducted so as not to create a permit trespass, spillage of glare, dust, sound, noise, vibrations, fumes, odors, or light, onto neighboring properties, adjacent streets or public rights of way.

H. All activities shall be conducted so as not be visible in any way from neighboring properties, adjacent streets or public rights of way. An approved plan for elimination of dust, glare, and odor is required with application.

I. Marihuana Growers, Processors and Safety Compliance Facilities, shall be limited to the industrial district of the City of Whitehall. The industrial zoned areas of the City of Whitehall are hereby declared to be exempt from the 1,000-foot minimum distance for K-12 schools to accommodate same. Said minimum distance shall be no less than 500 feet. All activity shall be indoors.

J. Microbusinesses shall be located in the Central and General Business Districts by right.

K. Waste disposal plan. A plan must be approved for the disposal of waste, chemicals and unused plant material. Further, a list shall be submitted with the application of all chemicals used in growing, processing and testing of plants or products and how they are to be disposed of must be included. The plan must also show how the disposal of marihuana plants and byproduct will be executed.

L. There shall be no limits on the number of licenses granted in each category.

Section 120.6 Regulations for Marihuana Provisioning Centers

(Retail).

A Marihuana Provisioning Center shall comply at all times with the following:

A. A Marihuana Provisioning Center shall at all times comply with the Act and Administrative Rules issued by LARA as they may be amended from time to time.

B. Marihuana Provisioning Centers shall have at all times a license from the State Marihuana Licensing Board and be in compliance therewith.

C. A Provisioning Center may only transfer marihuana from a grower or processor, may only sell or transfer marihuana to individuals who qualify under the Act.

D. A Provisioning Center may transfer marihuana to or from a safety compliance facility for testing.

- E. All transfers to and from separate marihuana facilities must be by means of a secured transporter as provided in the Act.
- F. A provisioning center may only sell marihuana after it has been tested and bears a label required for retail sale.
- G. No use of marihuana shall be allowed at the provisioning centers.
- H. A Marihuana Retail or Provisioning Establishment shall only be located in the Central Business District and General Business Districts in the City of Whitehall by right. The minimum distances from K-12 schools is hereby shortened to 500-feet to allow the entire use of said districts for this purpose.
- I. There shall be no more than 3 permits issued by the City of Whitehall for Recreational Marihuana Provisioning Centers at any time.

Section 120.7 Regulations for Marihuana Safety Compliance Facilities and Processing Facilities. A Marihuana Safety Compliance Facility and Processing Facility shall comply at all times with the following:

- A. Marihuana Safety Compliance Facility and Processing Facility shall comply at all times with the Act and the Administrative Rules issued by LARA as they may be amended from time to time.
- B. Marihuana Safety Compliance Facility and Processing Facility shall have at all times a valid license from the State Marihuana Licensing Board created by the Act and be in compliance therewith.
- C. Marihuana Safety Compliance Facility and Processing Facility shall receive marihuana from, test marihuana for, and return marihuana to, only a marihuana facility licensed under the Act.
- D. Marihuana Safety Compliance Facility and Processing Facility must be accredited by the Licensing and Regulatory Affairs.
- E. No Marihuana Safety Compliance Facility investor may have an interest in a grower, secure transporter, or provisioning center.
- F. All Marihuana Safety Compliance Facilities and Processing Facilities must have a secure space that can not be accessed by the general public.
- G. Waste disposal plan. A plan must be approved for the disposal of waste, chemicals and unused plant material. Further, a list shall be submitted with the

application of all chemicals used in growing, processing and testing of plants or products and how they are to be disposed of must be included. The plan must also show how the disposal of marihuana plants and byproduct will be executed.

H. Marijuana Safety Compliance Facility and Processing Facility shall only be located in the City of Whitehall's Industrial Zoned District but not closer than 500-feet to any K-12 Schools.

Section 120.8 License Application Procedure. Any license issued under this Ordinance is specific to the license person and location. Any change in the ownership in any manner or any change in the location requires a new license. Applicants shall make the application to the City Clerk and the applications shall include the following:

A. The address and legal description of the premises which is to be used as a marihuana facility.

B. Describe the facility including all the enclosed and locked areas within the facility as required by Michigan Law.

C. If a Provisioning Center, describe all locations in the premises where the sale or transfer to a customer shall take place.

D. If a Grower, specify the class under which the Grower seeks the license. Include a statement attesting and consenting that all activities will be conducted so as not to create and or permit trespass, nuisance or spillage of dust, glare, sounds, noise, vibrations, fumes, odors or light onto neighboring properties, adjacent streets or public rights of way.

E. Include a statement attesting and consenting that all official lighting will prevent glare and will not be visible from the adjacent properties, adjacent streets, or public rights of way.

F. The name and addresses of all owners where the marihuana facility is located, including a statement by each owner attesting to their knowledge, understanding, and authorization of the activity upon their property.

G. Name, address and other contact information of all applicants as defined above including attesting whether an applicant has been indicted for, charged with, arrested for, convicted of, pled guilty or nolle contendere to, forfeited bail for any criminal offense under the laws in any jurisdiction either of a felony or a controlled substance related misdemeanor not including traffic violations, regardless if the offense has been reversed on appeal or otherwise, including the date, location, of the Court, arresting

agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition and the location and length of any incarceration.

H. Payment of a nonrefundable license fee, which shall be determined by a resolution of the City of Whitehall Council.

I. All applications for permits required by this Ordinance shall file an application signed by the applicant if an individual, or by all partners of a partnership, by a managing member of a Limited Liability Company and all members, or the by the President of a Corporation.

J. The applicant may be requested to provide any and other information required by the Act and any other information deemed by the City to be required for consideration of a permit.

K. Waste disposal plan. A plan must be approved for the disposal of waste, chemicals and unused plant material. Further, a list shall be submitted with the application of all chemicals used in growing, processing and testing of plants or products and how they are to be disposed of must be included. The plan must also show how the disposal of marihuana plants and byproduct will be executed.

L. Permit shall be approved if the applicant meets all City requirements unless a due diligence investigation discloses evidence that the applicants possession would pose a substantial threat to the public health, safety, or general welfare of the City of Whitehall.

M. All applications shall contain and be subject to the following:
The applicant agrees to allow the Whitehall Police Department access to all facets of the business permitted herein for the purpose of assessing compliance with all facets of the permit requested herein.

N. If more qualified applications are received than available permits within the first 30-days of this ordinances passage or at any time thereafter, the permits shall be awarded by lottery held at the discretion of the City Clerk in consultation with the City Manager. Renewals shall take precedence over new applicants.

Section 120.9 Revocation of Permit.

A. A permit authorized from the above section may be revoked or not renewed for any of the following reasons:

1. Any fraud or misrepresentations contained in the permit application.

2. Any known violation of this Ordinance or the Act or the rules and regulations issued by LARA.
3. Any loss of the applicants State licenses.
4. Failure of the applicant to obtain a State license within a reasonable time of obtaining a permit under this section. Operating the business in an unlawful manner in such a way as to constitute a problem to the health, safety, or general welfare of the public.
5. The violation of any issuance or continuation of a certificate registration or permit.
6. Fraud, misrepresentation or any false statement made in the operation of the business.
7. Failure to pay personal property taxes or timely documents or returns for such tax purposes.
8. Failure to pay any City taxes, including but not limited to property taxes.
9. Failure to pay any outstanding amounts owed to the City such as for inspections, property services or water/sewer bills, municipal or civil infractions, fines applicable to the business or its premises, special assessments, etc.
10. Failure to pay registration fees in pursuant to this chapter and resolution of the City.
11. Failure and inability of applicant to meet and satisfy any requirements and provisions of this chapter.
12. Failure to allow inspection of the business premises or has its material storage records within a reasonable time.

B. Procedure of Revocation

1. The zoning administrator will issue a notice to the licensee through certified mail, that the City intends to revoke the license
2. The licensee may request a hearing before the City Council to show cause as to why the license should not be revoked within 14 days of delivery of the notice.

3. If a hearing is timely requested then the City Administrator shall inform the licensee and the City Council of the time and place of the hearing.
4. The licensee may present evidence and reasons arguing why the license should not be revoked.
5. The City Council shall either revoke the license or allow the license to continue.
6. Nothing in this Ordinance shall be deemed to prohibit the City from imposing other penalties authorized by its code or other Ordinances including filing above nuisance actions or other legal proceedings in a Court of competent jurisdiction.

C. Civil infraction

1. Any firm, person, corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for municipal civil infractions as defined by Michigan Statutes which shall be punishable by a civil fine for each violation according to the schedule set forth herein, along with costs which may include all expenses, direct or indirect, the City incurs connected with the municipal civil infraction. A violator of this Ordinance will also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance.
2. The City Zoning Administrator, Whitehall Police Department and/or their designee, may issue appearance tickets, citations for violations of this Ordinance. The provision of this Ordinance may also be imposed by suit for injunctive relief.
3. Civil fines for municipal infractions shall be revised by the City Council by resolution from time to time.

Section 120.10 Renewal of Licenses. The renewal of an existing license shall be by the following procedures:

- A. An application for renewal must be submitted no sooner than 90 days before the expiration date and no later than 60 days before the expiration date of any existing permit.
- B. A licensee intending to operate in the same manner and agree to its current licensing may submit a sworn certification that it will continue to operate in the same

manner and degree, has a current and valid State license, and no changes have occurred as to change the original application.

C. If the licensee has not violated its existing license than the renewal application shall be granted.

D. A Marihuana Grower intending to operate within the degrees approved within its current licensing except that it desires to modify the class under which it is licensed, may submit a sworn certification that it will continue to operate in the same manner and degree of the current valid state license, and that no changes have occurred as in the original application, and provide the class under which it seeks its license and its licensee has not violated its existing license, then a renewal application shall be granted.

E. A licensee that has violated its existing license in any way shall submit a completed new application pursuant to the same procedure for application in issuance of a new original license.

Section 120.11 Severability. Any section of this Ordinance is considered to be severable and if any clause, sentence, word, section, or provision is declared void by a clear and competent Court of jurisdiction, this shall not effect any portion of this Ordinance other than the said part or portion thereof.

Section 120.12 This Ordinance is to become effective after publication.

City of Whitehall

By: _____
Debi Hillebrand, Mayor

By: _____
Brenda Bourdon, City Clerk

Adopted: _____
Published: _____
Effective: _____

CERTIFICATE

The foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Whitehall at a regular meeting held on _____, 2019. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA267, 1976). Minutes of the meeting will be made available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. 19-04

THE CITY COUNCIL OF THE CITY OF WHITEHALL HEREBY ORDAINS:

1. Title XI, Chapter 121, Of the Code of Ordinances of the City of Whitehall, Michigan, Sections 121-01 through 121-06 are adopted as follows:

Sec. 121-01 Purpose and Intent.

It is the intent of this ordinance to give effect to the intent of the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, MCL 33.27101, et seq, (the MMFLA), and not to determine and establish an altered policy with regard to medical marihuana. It is the intent of this Ordinance to give effect to the intent of the Michigan Medical Marihuana Act, Initiated Act 1 of 2008, MCL 333.26421, et seq., (the MMMA) as approved by the electors. The purpose of this ordinance is to serve and protect the health, safety and welfare of the general public and establish a set of rules and regulations which are fair and equitable for those interested in establishing a Marihuana Facility pursuant to the MMFLA.

The City of Whitehall does not intend that registration and regulation under this Ordinance be construed as finding such business and activities are legal under Federal Law. By requiring registration and compliance with the requirements as provided in this Ordinance, the City of Whitehall intends to protect, to every extent possible the public health, safety and welfare of the residents of and visitors to the City of Whitehall from harm that may result from the activity from persons who unilaterally or on the advice from their attorney determine that they may legally operate a business involved in the cultivation, possession, use, manufacture, distribution, transport, processing or dispensing of marihuana.

Nothing in this Ordinance is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution for cultivation, possession, use, manufacture, distribution, transport, processing or dispensing of marihuana not in compliance with the Acts or this Ordinance. This Ordinance is enacted pursuant to statutory authority granted by State Law and Constitution authorizing the City of Whitehall to adopt licensing ordinances and regulations securing the public health, safety, and general welfare.

Sec. 121-02 Definitions.

Applicant means a person who applies for a license under this section. If an entity applies for a license, the term includes an officer, director, managerial employee or has a direct or indirect ownership interest in the applicant.

Grower means an MMFLA licensee that is a commercial entity located in this state that cultivates, dries, trims, cures or packages marihuana for sale to a Processor or Provisioning Center.

Marihuana Facility means a location at which a license holder is licensed to operate under the MMFLA.

Marihuana-infused product means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation.

MMFLA means the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, MCL 333.27101, et seq.

MMMA means the Michigan Medical Marihuana Act, Initiated act 1 of 2008, MCL 333.26421, et seq.

MMMA Caregiver Facility means any building(s) or structure(s) located on non-residential property that is utilized by one or more than one primary caregiver engaged in the medical use of marihuana pursuant to the MMMA.

Permit means a permit issued by the City under this section, which shall be valid for one year, subject to renewal.

Primary caregiver or caregiver means a person as defined by the MMMA.

Processor means an MMFLA licensee that is a commercial entity located in this state that purchases marihuana from a Grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in package form to a Provisioning Center.

Provisioning Center means an MMFLA licensee that is a commercial entity located in this state that purchases marihuana from a Grower or Processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA is not a Provisioning Center for purposes of the MMFLA or this section.

Qualifying patient or patient means a person defined by the MMMA.

Registry Identification Card means the document as defined by the MMMA.

Safety Compliance Facility means an MMFLA licensee that is a commercial entity that receives marihuana from a Marihuana Facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the Marihuana Facility.

Secure Transporter means an MMFLA licensee that is a commercial entity located in the state that transports marihuana, with or without storage, between Marihuana Facilities for a fee.

State operating license means a license that is issued under the MMFLA that allows the licensee to operate a Marihuana Facility.

All other terms used in this section have the same definitions ascribed to them in the MMFLA or MMMA.

Sec. 121-03 MMFLA Opt-In Provision

Pursuant to Section 205(1) of the MMFLA, the City will authorize Permits for the following types of Marihuana Facilities: Growers; Processors; Provisioning Centers; Safety Compliance Facilities; and Secure Transporters. The City hereby declines to authorize and hereby prohibits any and all onsite consumption of product of any type, any and all designated consumption establishments (as established by LARA) and/or any authority to approve any temporary or permanent marihuana event (as established by LARA).

Sec. 121-04 Permit Required for MMFLA Activity

- A. Any person or entity that wishes to operate as a Marihuana Facility in the City shall obtain a Permit and must obtain a State Operating License prior to opening or operating.
- B. The application and inspection fee for the Permit required by this section shall be as set from time to time for the City by resolution.
- C. In addition to an annual reapplication and inspection fee, which shall be set, from time to time, by the City by resolution, the City may assess an annual fee of no more than \$5,000 to help defray the administrative and enforcement costs associated with the operation of the Marihuana Facilities operating in the City.
- D. No permit issued under this section shall be transferable.
- E. The City may limit the number of Permits issued under this section and may revise this limit from time to time.
- F. A person or entity that receives a Permit under this section shall display its Permit and, when issued, its State Medical Marihuana Facility License in plain view clearly visible to City officials and State Medical Marihuana Licensing Board authorized agents.

G. No person or entity that opened or operated a facility doing business or purporting to do business as a Marihuana Facility prior to the adoption of this ordinance shall be considered a lawful use.

H. No application shall be approved unless same includes the safeguards, plans and protocols as follows:

1. A marihuana grower shall comply at all times with the Acts and Administrative Rules as they may be promulgated and amended from time to time by LARA.
2. A marihuana grower shall have at all times a valid license from the State Licensing Board created by the Act.
3. Growers may only transfer plants, seeds, other product to other facilities as set forth in the Act and are prohibited from any other transfers and enabling regulations issued by LARA and under no other circumstances.
4. All marihuana plants must be contained within the Grow Facility in an enclosed, restricted, locked facility that prevents access by other persons than those allowed and otherwise meet all state requirements.
5. Any artificial lighting must be shielded to prevent glare, must not be visible from adjacent properties, the street or public rights of way.
6. All activity shall be conducted so as not to create a permit trespass, spillage of glare, dust, sound, noise, vibrations, fumes, odors, or light, onto neighboring properties, adjacent streets or public rights of way.
7. All activities shall be conducted so as not be visible in any way from neighboring properties, adjacent streets or public rights of way. An approved plan for elimination of dust, glare, and odor is required with application.
8. Marihuana Growers, other than Microbusinesses, shall be limited to the industrial district of the City of Whitehall. The industrial zoned areas of the City of Whitehall are hereby declared to be exempt from the 1,000-foot minimum distance for K-12 schools to accommodate same. Said minimum distance shall be no less than 500 feet.
9. Waste disposal plan. A plan must be approved for the disposal of waste, chemicals and unused plant material. Further, a list shall be submitted with the application of all chemicals used in growing, processing and testing of plants or products and how they are to be disposed of must be included. The plan must also show how the disposal of marihuana plants and byproduct will be executed.

10. There shall be no limits on the number of licenses granted in each category except for provisioning centers. There shall only be 3 permits allowed for provisioning centers.
11. All applications shall contain and be subject to the following:
The applicant agrees to allow the Whitehall Police Department access to all facets of the business permitted herein for the purpose of assessing compliance with all facets of the permit requested herein.
12. If more qualified applications are received than available permits within the first 30-days of this ordinance's passage or at any time thereafter, the permits shall be awarded by lottery held at the discretion of the City Clerk in consultation with the City Manager. Renewals shall take precedence over new applicants.

Sec. 121-05 MMFLA Location Requirements

- A. Growers, Processors and Safety Compliance Facilities, as permitted only in the industrial zones of the City of Whitehall.
- B. Provisioning Centers are to be located in the City of Whitehall Central and General Business Districts by right.
- C. The Marihuana Facility shall meet all applicable written and duly promulgated standards of the City and, prior to opening, Applicants shall demonstrate to the City that the location meets the rules and regulations promulgated by the State Medical Marihuana Facilities Licensing Board.

Sec. 121-06 Permit Revocation and Review

A Permit granted under this section may be revoked or not renewed for any of the following reasons:

- A. Any fraud or misrepresentations contained in the Permit application;
- B. Any knowing violation of this ordinance;
- C. Loss of the Applicant's State Medical Marihuana Facility License;
- D. Failure of the Applicant to obtain a State Medical Marihuana Facility License within a reasonable time after obtaining a Permit under this section; or
- E. Conducting business in an unlawful manner or in such a way as to constitute a menace to the health, safety, or general welfare of the public;

- F. The violation of any of the conditions of issuance or continuation of a certificate of registration;
- G. Fraud, misrepresentation or any false statement made in the operation of the business;
- H. Failure to pay personal property taxes, or timely file documentation or returns required for such taxes; and failure to pay City property taxes; and failure to pay any outstanding amounts owed the City (such as fees for inspections or property services, water or sewer bills, municipal civil infraction fines applicable to the business or its premises, current special assessment, installments, etc.).
- I. Failure to pay registration fees imposed pursuant to this chapter and resolution of the City Council.
- J. Failure or inability of an applicant to meet and satisfy any of the requirements and provisions of this chapter.
- K. Failure to allow inspection of the business premises or hazardous material storage records at a reasonable time.

Sec. 121-07 Revocation of Permit

- A. A permit authorized from the above section may be revoked or not renewed for any of the following reasons:
 - 1. Any fraud or misrepresentations contained in the permit application.
 - 2. Any known violation of this Ordinance or the Act or the rules and regulations issued by LARA.
 - 3. Any loss of the applicants State licenses.
 - 4. Failure of the applicant to obtain a State license within a reasonable time of obtaining a permit under this section. Operating the business in an unlawful manner in such a way as to constitute a problem to the health, safety, or general welfare of the public.
 - 5. The violation of any issuance or continuation of a certificate registration or permit.
 - 6. Fraud, misrepresentation or any false statement made in the operation of the business.
 - 7. Failure to pay personal property taxes or timely documents or returns for such tax purposes.

8. Failure to pay any City taxes, including but not limited to property taxes.
9. Failure to pay any outstanding amounts owed to the City such as for inspections, property services or water/sewer bills, municipal or civil infractions, fines applicable to the business or its premises, special assessments, etc.
10. Failure to pay registration fees in pursuant to this chapter and resolution of the City.
11. Failure and inability of applicant to meet and satisfy any requirements and provisions of this chapter.
12. Failure to allow inspection of the business premises or has its material storage records within a reasonable time.

B. Procedure of Revocation

1. The zoning administrator will issue a notice to the licensee through certified mail, that the City intends to revoke the license
2. The licensee may request a hearing before the City Council to show cause as to why the license should not be revoked within 14 days of delivery of the notice.
3. If a hearing is timely requested then the City Administrator shall inform the licensee and the City Council of the time and place of the hearing.
4. The licensee may present evidence and reasons arguing why the license should not be revoked.
5. The City Council shall either revoke the license or allow the license to continue.
6. Nothing in this Ordinance shall be deemed to prohibit the City from imposing other penalties authorized by its code or other Ordinances including filing above nuisance actions or other legal proceedings in a Court of competent jurisdiction.

C. Civil infraction

1. Any firm, person, corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for municipal civil infractions as defined by Michigan Statutes which shall be punishable by a civil fine for each violation according to the schedule set forth herein, along with costs which may include all expenses, direct or indirect, the City incurs connected with the

municipal civil infraction. A violator of this Ordinance will also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance.

2. The City Zoning Administrator, Whitehall Police Department and/or their designee, may issue appearance tickets, citations for violations of this Ordinance. The provision of this Ordinance may also be imposed by suit for injunctive relief.

3. Civil fines for municipal infractions shall be revised by the City Council by resolution from time to time.

Sec. 121-08 Severability

Any section of this Ordinance is considered to be severable and if any clause, sentence, word, section, or provision is declared void by a clear and competent Court of jurisdiction, this shall not effect any portion of this Ordinance other than the said part or portion thereof.

Sec. 121-09 Adoption

This Ordinance is to become effective after publication.

City of Whitehall

By: _____
Debi Hillebrand

By: _____
Brenda Bourdon, City Clerk

Adopted: _____
Published: _____
Effective: _____

CERTIFICATE

The foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Whitehall at a regular meeting held on _____, 2019. Public notice was given, and the meeting was conducted in full compliance with the Open Meetings Act, (PA267, 1976). Minutes of the meeting will be made available as required by the Act, and the ordinance was duly recorded, posted and authenticated by the Mayor and City Clerk as required by the Charter of said City.

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
RESOLUTION 19-38
Marihuana Facility Fees

WHEREAS, the City Council has adopted Ordinances 19-03 and 19-04 allowing for the establishment of medical and recreational marihuana facilities within the city limits.

WHEREAS, State law and these newly adopted ordinances allow for the setting of fees by the City Council related to approval and monitoring of marihuana facilities.

WHEREAS, the City Manager and City Attorney recommend that a nonrefundable application fee for a recreational marijuana facility be set at \$600; that a nonrefundable application fee for a medical marihuana facility be set at \$1,200; and that an approved license will require an annual fee of \$5,000.

NOW, THEREFORE, LET IT BE RESOLVED

That the Whitehall City Council does hereby establish that a nonrefundable application fee for a recreational marijuana facility be set at \$600; that a nonrefundable application fee for a medical marihuana facility be set at \$1,200; and that an approved license will require an annual fee of \$5,000.

Moved by _____, seconded by _____, and thereafter adopted by the City Council of the City of Whitehall, at a regular meeting held on Tuesday, October 22, 2019 at 6:00 p.m. (___ yes, ___ no, ___ absent).

Debra Hillebrand, Mayor

Brenda Bourdon, City Clerk

CITY OF WHITEHALL
RESOLUTION 19-39
Playhouse Rental

- WHEREAS, the Montague-Whitehall Rotary Club has rented the Playhouse at White Lake for their annual dinner fundraiser for the evening of November 2.
- WHEREAS, the event will include a concert by Country Music Star Matt Williams open to the general public.
- WHEREAS, the City has contracted to pay Matt Williams the evening of the performance to be fully refunded by the Rotary Club.
- WHEREAS, inclusion of this payment was not made in a timely enough fashion to be included in the regular bills for Council approval.

NOW, THEREFORE, LET IT BE RESOLVED

That the Whitehall City Council does hereby authorize the payment of \$2,500 to Matt Williams on the evening of November 2 to be fully refunded by the Montague-Whitehall Rotary Club.

Moved by _____, seconded by _____, and thereafter adopted by the City Council of the City of Whitehall, at a regular meeting held on Tuesday, October 22, 2019 at 6:00 p.m. (___ yes, ___ no, ___ absent).

Debra Hillebrand, Mayor

Brenda Bourdon, City Clerk