

**BIG RAPIDS CHARTER TOWNSHIP BOARD
REGULAR MEETING TUESDAY, JULY 2, 2019
APPROVED**

CALL TO ORDER: 7:00 p.m. ROLL CALL: Stanek, Currie, Bean, Everett, Geib, Merendino present. Fountain absent. Pledge of Allegiance.

PUBLIC COMMENT: none

ADDITIONS TO AGENDA: none

**CORRESPONDENCE: Mecosta County Road Commission:
State Street Outdoor Power Equipment:
United States Department of Agriculture:**
Noted and filed.

APPROVAL OF: June 4th meeting minutes: A motion to approve the June 4, 2019 minutes as printed was made by Currie. Seconded by Everett. Motion passed unanimously.

FINANCIAL

1. **Treasurer Report May:** Approved as printed.
2. **Financial Report:** Approved as printed.

APPROVAL OF BILLS:

1. **Accounts Payable:** A motion to approve accounts payable in the amount of \$218,266.72 checks #1168-1169, #31611-31648 and 4 electronic funds payments, and also check #101 to U.S. Bank for bond principal and interest fund 594 in the amount of \$49,013.50 was made by Currie. Seconded by Everett. Motion passed unanimously on a roll call vote.
2. **Payroll:** A motion to approve June payroll in the amount of \$19,884.47 check #11697-11732 and stub 18 was made by Currie. Seconded by Merendino. Motion passed unanimously on a roll call vote.

MONTHLY REPORTS:

1. **Building Department:**
2. **Cemetery and Grounds:**
3. **Fire Department:**
4. **Sewer Department:**
5. **Water Department:**
6. **Cemetery Committee:**
7. **Fire Committee:**
8. **Planning Commission:**
9. **Supervisor:**
Approved as printed.

UNFINISHED BUSINESS:

1. **Resolution to approve Marijuana Ordinance # 94.00:** A motion to approve Resolution 2019-01 regarding Ordinance #94.00 Prohibition of Recreational Marihuana Establishments was made by Bean. Seconded by Currie. Motion passed unanimously on a roll call vote.

RESOLUTION NUMBER 2019-01

**A RESOLUTION TO ADOPT ORDINANCE NO. 94.00
PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE**

WHEREAS, the Township Board held a First Reading of the Prohibition of Recreational Marihuana Establishments Ordinance on June 4, 2019,

WHEREAS, the township published a summary of the Prohibition of Recreational Marihuana Establishments Ordinance on June 7, 2019 in The Pioneer newspaper and on the township website,

THEREFORE, BE IT RESOLVED, that Ordinance No. 94.00 Entitled Prohibition of Recreational Marihuana Establishments Ordinance is hereby adopted:

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Big Rapids Charter Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**THE CHARTER TOWNSHIP OF BIG RAPIDS,
MECOSTA COUNTY, MICHIGAN
ORDAINS:**

SECTION I
TITLE

This ordinance shall be known as and may be cited as the Big Rapids Charter Township Prohibition of Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION III
NO MARIHUANA ESTABLISMENTS

Big Rapids Charter Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.

3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

SECTION V
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VI
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect August 1, 2019.

The foregoing resolution was offered by Bean and supported by Currie.

Ayes: Stanek, Currie, Bean, Everett, Geib, Merendino Nays: 0 Abstain: 0 Absent: Fountain

RESOLUTION DECLARED ADOPTED.

Rene Fountain, Township Clerk

STATE OF MICHIGAN)
) SS
COUNTY OF MECOSTA)

I, the undersigned, the duly qualified and acting Clerk of Charter Township of Big Rapids, Mecosta County, Michigan do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board at a regular meeting on July 2, 2019, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in full compliance with Act No 267, Public Acts of Michigan, 1976 as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed by official signature on this 9th day of July 2019.

Rene Fountain, Township Clerk
Charter Township of Big Rapids

NEW BUSINESS:

1. **Request from cemetery committee to establish a scatter grounds:** no action.
2. **Request from cemetery committee to spend money on a deck:** no action.
3. **Request from fire committee to purchase 5 radios:** A motion to purchase 5 Kenwood Radios at \$713.99 each was made by Bean. Seconded by Merendino. Motion passed unanimously on a roll call vote.
4. **Mecosta County Development Corporation 2019 support:** no action
5. **Hazardous Waste Cleanup support request:** A motion to approve payment of \$1,000.00 to Mecosta Conservation District for hazardous waste cleanup was made by Currie. Seconded by Everett. Motion passed unanimously on a roll call vote.
6. **AT & T Metro Act extension:** A motion to approve the AT&T Metro Act extension to end on May 31, 2025 was made by Currie. Seconded by Everett. Motion passed unanimously.
7. **Office cleaning continuation for another year:** A motion to renew worksite agreement with Hope Network for one year was made by Merendino. Seconded by Currie. Motion passed unanimously on a roll call vote.

PUBLIC COMMENT: Wendy Nystrom – Dragon project.

ADJOURNMENT: 7:56 p.m.