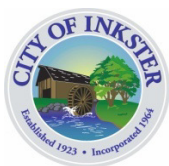


1. Agenda

Documents: [AGENDA 4-4-16.PDF](#)

2. Packet

Documents: [PACKET 4-4-16.PDF](#)



INKSTER CITY COUNCIL

April 4, 2016
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Byron Nolen
Mayor Pro Tem – Timothy Williams, District I

Council Members:

Clarence Oden, Jr., District II
Sandra K. Watley., District III
Jewell Jones, District IV
Kim Howard, District V
DeAtriss Richardson, District VI

FELICIA RUTLEDGE
CITY CLERK

MARK STUHLBREHER
INTERIM CITY MANAGER

DAVID JONES
CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

Council Orientation Agenda – 6:00 PM

1. Call to Order
2. Discussion
 - A. Agenda Discussion
3. Public Participation (limit to 3 minutes)
4. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).
5. Adjournment

April 4, 2016

Regular City Council Agenda – 7:30 PM

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

- A. Inkster Beautification Committee – Toni Bailey
- B. FY17 Budget Recommendation

4. Public Hearing

A. A Public Hearing on an amendment to the Zoning Ordinance to consider the reduction in the required minimum distance between provisioning centers from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers within the B-1 (Local Business District), B-2 (Thoroughfare Mixed Use District) and B-3 (General Business District).

Pg. 1

5. Consent Agenda

- A. March 21, 2016 Regular City Council Meeting Minutes.

Pg. 25

6. Boards and Commissions

- A. Update of current list of appointments to Boards & Commissions.

7. Previous Business

8. Ordinance(s)

- A. First Reading(s)

1. A first reading on a on an amendment to the Zoning Ordinance to consider the reduction in the required minimum distance between provisioning centers from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers within the B-1 (Local Business District), B-2 (Thoroughfare Mixed Use District) and B-3 (General Business District)

(See Pg. 1)

B. Second Reading(s)

9. New Business

10. Public Participation (limit to 3 minutes)

11. City Clerk

12. City Manager

13. Mayor and Council Communication

14. Closed Session

Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge
City Clerk

REQUEST FOR COUNCIL ACTION

To: Mark Stuhldreher – Treasurer/Interim City Manager

Date: March 29, 2016

From: M. Jeannie Fields *MJF*
Community Development Manager

Date for Council Consideration: April 4, 2016

ACTION REQUESTED: Council to hold a public hearing and offer a first reading on an amendment to the Zoning Ordinance to consider the reduction in the required minimum distance between provisioning centers from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers within the B-1 (Local Business District), B-2 (Thoroughfare Mixed Use District) and B-3 (General Business District).

Current Action X Emergency Future

Funds Budgeted: If Yes Account # No N/A X

Treasurer's Approval *MDS*

BACKGROUND INFORMATION

On March 14, 2016, the Planning Commission held a Public Hearing to receive public input and review a request for a text amendment to reduce the required minimum distance between provisioning centers from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers within the B-1 (Local Business District), B-2 (Thoroughfare Mixed Use District) and B-3 General Business District). Huck Property, LLC is the applicant.

The Planning Commission reviewed the request and subsequently denied the request for a proposed Zoning Ordinance Amendment to reduce the required minimum distance between provisioning centers from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers within the B-1 (Local Business District), B-2 (Thoroughfare Mixed Use District) and B-3 General Business District). Meeting minutes are attached. McKenna Associates recommended approval of the request. A letter dated 2.29.16 is also attached.

Prior to going before the Planning Commission with the request, the applicant sought a variance from the Zoning Board of Appeals (ZBA) on March 3, 2016 to reduce the separation distance between two Medical Marijuana Provisionary Centers from 1000 feet to 800 feet. This request was denied by the ZBA per the planner's recommendation. The planner's recommendation letter dated 2.24.16 is also attached.

SCOPE OF SERVICES

N/A

JUSTIFICATION

See McKenna Associates letter dated 2.24.16 for planner review considerations and recommendation. See Planning Commission minutes dated 3.14.16 Item V.B. for the Commission's consideration and recommendations.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

COSTS

N/A

PROJECT TIME TABLE

A second reading of the text amendment is scheduled during the Council meeting on April 18, 2016. If the text amendment is approved by Council, the amendment will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:



PLANNING COMMISSION
PETITION FOR REZONING

Filing Fee

Case # 16-09 TA

\$1,700.00 + \$350.00 Public Hearing Fee = \$2,050.00

Date Filed 1.28.16

TO THE INKSTER CITY PLANNING COMMISSION:

The undersigned respectfully petition(s) Planning Commission to amend the Inkster Code of Ordinance, Section 155.032—Zoning Map, as amended and change the zoning map as hereinafter requested, and in support of this petition, the following facts are shown:

PROPERTY IDENTIFICATION

Property ID#: 44-007-01-0038-001 Legal Description (please provide exact legal description): See attached deed

(If more than one property, attach additional sheets as needed).

Street Address: Corner of Huck + Michigan - NW Corner.
The property is located on the W side of Huck Street, between Michigan Street and Wirtzell Street. It has frontage of 50 feet, a depth of 129 feet, and comprises 0.15 acres.

Property owner: Huck Property, LLC

Address: 124 W. Michigan, 21st Floor, Wayne, MI 48133 Telephone #: 317-377-3000
(Proof of ownership must be attached)

NATURE OF PETITION

Current Zoning: TCO Requested Zoning: TCO Proposed Use: Text Amendment

Please provide a diagram or drawing indicating the property to be rezoned.

AFFIDAVIT OF PETITIONER

STATE OF MICHIGAN }
COUNTY OF WAYNE }

The undersigned Petitioner, being duly sworn, deposes and says that the statements and information herewith submitted are true and correct to the best of his/her knowledge, information, and belief; further, that she/he is authorized to submit this petition.

Printed Name of Petitioner: Ron Baji

Signature of Petitioner: Ron Baji

Interest in Property: owner

Firm: 517-377-3000

Address: 124 W. Michigan, 21st Floor, Wayne, MI 48133

Subscribed and sworn to before me this 28th day of January, 2016.

Kristen E. Davis
Notary Public, Wayne County, Michigan
Oakland

My Commission Expires: 9/23/2021

KRISTEN E. DAVIS
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 23, 2021
ACTING IN COUNTY OF Oakland

FOR OFFICE USE ONLY

DATE SUBMITTED:

1.28.16

CASE NUMBER:

16 09 (TA)

**CITY OF INKSTER'S
APPLICATION TO AMEND THE ZONING ORDINANCE**

APPLICANT NAME

Huck Property, LLC

ADDRESS

Corner of Michigan & Huck.

NUMBER

STREET

CITY

STATE

ZIP

517-377-3000

TELEPHONE NUMBERS

Direct

FAX

E-Mail Address

rbj@rbjgroup.com

PLEASE PROVIDE THE FOLLOWING INFORMATION ALONG WITH FEES.

1. A narrative that explains the proposed amendment and why it is necessary. *See attached*
2. An analysis of how the proposed amendment conforms to and supports the principles found within the zoning ordinance and master plan. *The property is in the TCD & will remain in the TCD. Marijuana provisioning centers are permitted in the TCD.*
3. A statement of the perceived effects of the proposed change would have on the City's ability to deliver services (staffing, enforcement, added inspections, studies required, etc.). What additional costs, if any, the City or its taxpayers will incur and how will these costs be addressed? *None*
4. Explain how the proposed text amendment would serve the interests of the public as a whole, including health, safety, or welfare. *It will allow to facilities to be closer together and will not have any impact on the health, safety, & welfare. See attached summary*
5. A draft of the proposed text change(s) to the existing ordinance. *See attached*

Ordinance as enacted

Section 155.148 (C): A provisioning center shall not be located within a one thousand (1,000) foot radius of a lawfully existing medical marijuana provisioning center.

Proposed Text Amendment

Section 155.148 (C): A provisioning center shall not be located within a **Five Hundred (500) foot** radius of a lawfully existing medical marijuana provisioning center.

REASON FOR TEXT AMENDMENT REQUEST

The City of Inkster has adopted an ordinance allowing for three (3) medical marijuana provisioning centers in the City. Ordinance 155.148 (c) states that you cannot have two (2) facilities within 1,000 feet of each other.

Huck Property, LLC submitted an application for a facility to be operated at the corner of Huck and Michigan Avenue. However, there is an application pending that was submitted prior to the application submitted by Huck Property, LLC which proposes to operate a facility at 27332 Michigan Avenue which is less than 1,000 feet away from the property owned by Huck Property, LLC. That application was submitted only minutes before Huck Property, LLC's application because on the day the City began accepting applications, they were in-line ahead of Huck Property, LLC.

If both Huck Property, LLC and the other applicant comply with all City requirements simultaneously, then the owner of 27332 Michigan Avenue would be awarded the provisioning license versus Huck Property, LLC based on the fact that the applicant for 27332 Michigan Avenue submitted their application 1st.

As such, Huck Property, LLC is requesting a text amendment so that the 1,000 foot rule contained in section 155.148 (c) is reduced to 500 feet.

Impact of the public as a whole.

There should be no impact on the public. The City has determined that the measurement of 500 feet as an appropriate measurement in that the city medical marijuana ordinance only requires that a medical marijuana facility be at least 500 feet from a library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school or like facility. This text amendment would not change that. This text amendment request would continue to limit how close two (2) medical marijuana provisioning centers could be to each other however, it would reduce the distance requirement from 1,000 feet to 500 feet.

**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, March 14, 2016**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Wooten called the meeting to order at 6:00 p.m.

I. ROLL CALL

Present: Chairman Wooten, Vice Chairman Brown and Secretary Garrett and Commissioners Davis, Hendricks, Nolen, Thomas and Wells

Absent: Secretary Walton

Others in attendance: Mark Stuhldreher, Treasurer/Interim City Manager
M. Jeannie Fields, Community Development Manager
Patrick Wimberly, Applicant – 27332 Michigan
Ron Boji – Huck and Michigan Ave
Mike Leinweber – Huck and Michigan Ave
John Clark – 315 Inkster Road
Mark Gannon – 315 Inkster Road
Emmett Gibson – 28661 Michigan
Mayor Pro Tem Timothy Williams
Councilman Clarence Oden, Jr.
Councilwoman Sandra Watley

Public in attendance: Yvette Brock, Travis Copenhaver, Erick Ellis, Ruth E. Williams, Owner and parent from Paradise Preschool (314 Inkster Road) and others (did not sign in).

II. ADOPTION OF AGENDA

MOVED by Brown, Seconded by Garrett to adopt the agenda with the addition of a presentation from the planner as Item III. A. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF January 11, 2016

MOVED by Hendricks, Seconded by Brown to adopt the minutes of January 11, 2016. **MOTION CARRIED unanimously.**

A. Presentation of Cases by Paul Lippens, City Planner (McKenna Associates)

Remarks were as follows:

- Legal use in Michigan. It is perceived to have an economic benefit to the City. This use is in line with the Master Plan.
- There are four actions that can occur for the cases being reviewed during the meeting:
 1. Approval
 2. Approve with conditions
 3. Table
 4. Denial.

- Site Plans need to be as complete as possible when going to the Planning Commission and time frames should be included on conditions identified in the letters.
- There are many cases on the agenda due to the city accepting grow and dispensary applications at the same time.
- Looking at two cases today where parking is an issue in the Town Center District. The Planning Commission can reduce the required amount of parking. One other case has a parking issue and it will be discussed during that case.

Questions:

- Are we looking for parking to be in compliance for the whole strip center or just the business? The entire strip center.
- What happens if conditions are not met that are imposed? The conditional approval is voided and the applicant comes back to the Planning Commission or the conditions are met.
- There is a shared wall inside a building with Medical Marijuana being disseminated and the other side is non-drugs. Is this an issue? The security plan review may address concerns such as how do we determine if there has to be a secured wall and what is the plan for storage, cameras and security personnel.
- A concern was presented regarding people knocking out the cinder block of a building and getting inside.
- Why was text amendment placed on the agenda before the Special Conditions Use and Site Plan reviews? The text amendment was grouped with the case it is associated with by the date/time stamping.
- What are the air quality standards? Air quality requirements would be a part of all Special Condition Use reviews and will be addressed in the planning letter, but it may be more associated with cultivation facilities. However, there is no requirement in the ordinance. Air scrubbers is a best practice, also ventilation. During a site visit in Ypsilanti for dispensaries, the planner did not notice an odor. This is a fair question for each applicant.

V. PUBLIC HEARINGS

- A. Case #15-31 (SCU)/15-32 (SP) – 27332 Michigan Avenue
Public Hearing to receive public input and review Special Conditions Use requirements and associated review of Site Plan requirements to allow a Medical Marijuana Provisionary Center in the Town Center District (TCD). Patrick Wimberly is the applicant.

MOVED by Nolen, Seconded by Brown to open the public hearing. **MOTION CARRIED unanimously.**

The applicant provided a brief overview and asked for questions. The business is called "Suite B".

- What is happening with Jackson Hewitt? This business is no longer there.
- What is the flow of traffic inside business (via floor plan). There would be two doors and one door would be used. Explanation provided: Door is between customer service area and storage unit. **The door is not on the Site Plan.**
- Air scrubbers with charcoal filters are in place.
- Trash disposal: Two things are needed -- agreement and residential trash. No material will be trash.
- Trash Agreement: Expires 2018. There will not be a problem in obtaining another agreement per the applicant. The applicant has to renew the agreement in 2018 or it will be out of compliance with Site Plan.

Add a note: Must maintain agreement with waste disposal services.

Questions/Concerns:

- How do we control what businesses put in the dumpster? Suggestions provided: None of the applicants plan to put product in the trash. Suggestion was made to perform periodic inspections. **Add a note: No disposal of product would be allowed in trash.** It was suggested that the product will not be thrown away, as it is worth money.
- Hydro Hut uses the side door. Will employees have access to Suite B? No.
- 16 Cameras will be on site.
- Garbage agreement is with the owner of the property, not Cricket Wireless.
- Will the business use high resolution cameras? Yes.
- They will store medical marijuana in a safe room with locks.
- Parking: 12 spaces are required and there are only 10 provided.
 - When a shared parking plan exists, what if the owner changes? What happens to the dumpster agreement if the owner sells the property? The Commission can reduce the required number to 10 spaces so these things would not become an issue.
- 24 Hour security person will be on site.

Public Questions:

- What is the pharmaceutical standard in general? There are no regulations.
- Is there an expiration date for medical marijuana at the FDA? None thus far.
- If there are any changes in state law, they must be followed by the City businesses.

MOVED by Wells, Seconded by Nolen to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Brown, Seconded by Nolen to approve the Special Conditions Use with the following conditions:

1. The applicant must maintain an agreement for waste disposal services as long as the business is in operation.
2. There will be no local disposal of marijuana medicine.
3. The results of the public hearing are consistent with the findings presented in the Special Conditions Use planning letter.
4. Other City Departments comments are adequately addressed, if any.
5. The Chief of Police approves the security plan and system

MOTION CARRIED unanimously.

MOVED by Nolen, Seconded by Thomas to approve the Site Plan with the following conditions:

1. Reduce the required number of parking spaces to 10.
2. Add the door between the customer service area and storage area to the Site Plan.
3. Concerns and comments of all other City Departments, if any, have been addressed.

MOTION CARRIED unanimously.

B. Case #16-09 (TA) – Huck Court and Michigan Avenue

Public Hearing to receive public input and review proposed Zoning Ordinance Amendment to reduce the similar use buffer for provisioning centers in the B-1, B-2 and B-3 zoning districts from 1,000 feet to 500 feet. Huck Property LLC is the applicant.

MOVED by Wells, Seconded by Brown to open the public hearing. **MOTION CARRIED unanimously.**

Ron Boji – Provided a background of developments in the City. He is the owner of DHS building and proposed medical marijuana facility. He stated that State legislation does not speak to distance between businesses. All business will have to eventually meet State requirements. The proposed project has almost 2 million dollars in investment with job creation.

Questions/Concerns:

- Why not build down the street? No property owned down the street.
- This is a fully taxable building.
- A portion of the building is for medical marijuana. He is looking for additional businesses that compliment it or an eatery. The facility will be built to spec for the tenant.
- Huck St is in disrepair. The applicant has done some repair already.
- Justification for 1,000 ft. buffer when Council approved this already. It was tied to draft legislation and regulated uses such as sex-oriented business or junk yard. 500 ft. buffer for cultivation centers. 1,000 ft. is 2-3 city blocks or 3 football fields (approx.). Buffer is to mitigate negative impacts on the community.
- Approval of the text amendment would not affect the distance between other entities such as a school.
- Since the Planner came up with 1,000 ft. in the beginning, how can the planner now recommend approval of a text amendment? Recommendation was to not pass the ordinance and when Council approved, the administration must enforce the ordinance. It is being recommended to stimulate economic development.
- Applicant:
 - One item has requirement for 1,000 ft. Besides another center, all other is not.
 - Complimented the City on slowing down and regulating the process. The City did not think that anyone thought of two locations in the TCD. Does not agree with change in other districts. TCD is supposed to be walkable. Another applicant and he are similar to McDonald's and Burger King – both will not have the same items.

Public Questions:

- How many jobs are proposed? Full capacity = 25 jobs (full-time/part time); 3,000 ft. Center.
- Resident: Wants distance to stay at 1,000 ft.
- A board has been set up to follow-up on businesses and hiring of Inkster employees.
- What type of retail because a Marketplace was identified previously? Question answered above.
- How many Inkster people have been previously employed? The chairman asked the questions to pertain to the current case.
- Applicant: School requirement is 500 ft. away. All others are 1,000 ft. If he knew today what he knew then, he would have moved DHS closer to Huck Ct. Economic development may be important to the community.

MOVED by Nolen, Seconded by Davis to close the public hearing. **MOTION CARRIED unanimously.**

Additional comments:

- Wooten: Likes buildings built by applicant previously. Likes current and economic impact. Distance mitigates economic impact.
- What distance is building from other site? Applicant - 810 ft. There are no drafts in the State legislation that addresses distance, as it does not with other industries.
- Wells: Other communities do not require 1,000 ft. between centers. Nuisance part has not been realized. Denver contact does not have a requirement and is doing okay – looking at CVS/Walgreen. Reducing it may not really be as big as we thought as it favors change. Does not feel density is an issue.
- Detroit abides by 1,000 ft. rule, but allows variances. Allows 20% adjustment. The Inkster Zoning Board of Appeals denied a variance. There is a high standard of approval for ZBA based on certain criteria.
- Why can't the Planning Commission do 800 ft.? They can. The Planning Commission can look at a percent reduction, however, they would only recommend it in the TCD. Council makes the final decision.
- Applicant: The Planning Commission's recommendation goes a long way.

MOVED by Hendricks, Seconded by Wells to modify the request by 20% to 800 ft.

Roll Call

Wooten – No
Brown – No
Garrett – No

Davis – Yes
Hendricks – Yes
Nolen – No

Thomas – No
Wells – Yes

MOTION FAILED

MOVED by Thomas, Seconded by Nolen to deny the request for a text amendment.

Roll Call

Wooten – Yes
Brown – Yes
Garrett – Yes

Davis – No
Hendricks – No
Nolen – Yes

Thomas – Yes
Wells – No

MOTION CARRIED

- C. Case #15-33 (SCU)/15-34 (SP) – Huck Court and Michigan Avenue
Public Hearing to receive public input and review Special Conditions Use requirements and associated review of Site Plan requirements to allow a Medical Marijuana Provisionary Center in the Town Center District (TCD). M1M Group Inkster, LLC is the Applicant.

MOVED by Wells, Seconded by Brown to open the public hearing. **MOTION CARRIED unanimously.**

Public Questions:

- If it is not permitted to have provisional centers within 1,000 ft. of one another, why are we looking at this? Final action goes to Council. We must afford the applicant due process.
- Agree with Chairman that we should see how this impacts the City before we act.

MOVED by Thomas, Seconded by Garrett to close the public hearing. **MOTION CARRIED unanimously.**

A suggestion was made to table the Special Conditions Use review. The applicant questioned moving forward with the Special Conditions Use and Site Plan review. It was decided that the review would be considered now due to it being a separate item from the text amendment.

Applicant Overview:

- Increased security component.
- Masonry wall installed from neighboring retail.
- Windows have a film blast in case of bomb.
- Air scrubbers and ventilation.
- If building is 6,000 sq. ft., the parking requirement is fulfilled.
- Fulfills 2-story requirements.
- Security guard will be on site 24/7.
- High resolution cameras will be used.
- M1M Group Inkster, LLC is the Applicant

The planner recommended that a 2nd story building be built based on the ordinance and asked for the floor plans. The applicant responded if tenant wants a 2nd floor building, it can be made such. The planner understood the building can be retro-fitted to be a two-story in the future.

MOVED by Brown, Seconded by Davis to approve the Special Conditions Use with the following conditions (the condition related to approval of a text amendment, per the planner Special Conditions Use letter dated February 29, 2016, was removed):

1. The results of the public hearing are consistent with the findings presented in the planning letter.
2. Other City Departments comments are adequately addressed, if any.
3. A floor plan is provided for the second story of the building.
4. The Chief of Police approves the security plan and system.

MOTION CARRIED unanimously.

The architect/designer explained that the retail use of the building will determine a full build out or ½ build out for the second floor. The planner agreed that the floor plan can be open and the property built to suit the tenant.

MOVED by Hendricks, Seconded by Brown to approve the Site Plan with the following conditions:

1. Floor plans are submitted for the second story and site calculations are updated to be based on a 6000 sq. ft. structure.
2. The City approves the use of the public alley, either by easement or by sale, and lot combination and legal documentation is submitted to the approval of the City.
3. Details of rooftop equipment are provided and shown to be adequately screened from public view.

4. Planning Commission approves a reduction of parking to 19 spaces, subject to a letter being provided that overflow parking can be arranged with MDHS should capacity issues arise.
5. Concerns and comments of all other City Departments, if any, have been addressed.

MOTION CARRIED unanimously.

- D. Case #15-35 (SCU)/15-36 (SP) – 315 Inkster Road
Public Hearing to receive public input and review Special Conditions Use requirements and associated review of Site Plan requirements to allow a Medical Marijuana Provisionary Center in the B-2 Thoroughfare Mixed-Use District. SJ Ink, LLC is the applicant.

MOVED by Wells, Seconded by Thomas to open the public hearing. **MOTION CARRIED unanimously.**

John Clark made an introduction and introduced his architect.

Questions/Concerns:

- How far is the building from day care? 300 ft. or so, per the applicant.
- Limited parking at site: Parking is available at Food Max Plaza (West of CVS).
- How far is the front door from parking? 30/40 ft. Is this a security issue? No, security will be outside when open and inside. Will have high resolution cameras.
- No information was supplied regarding the business that parking is being shared. This works only if the total sum of parking satisfies both businesses.
- The applicant felt the planner should get the information. The planner stated the commission can request additional information related to parking. The applicant stated the building got a variance for parking when the building was built – the paperwork is not available. Per the planner, this can be a condition of approval.
- The wall is an issue at 5 ft. and the ordinance says it should be 6 ft. This was viewed as a non-conforming existing wall by the Planner. The ordinance in effect at that time should be reviewed to determine if the wall was in compliance at that time.

Public Questions:

- Day Care Center owner (314 Inkster Road) has tutoring after school (K-12): 6 weeks – 12 yrs. They are pouring \$250,000 into improvements in the building within the next month. It is State funded and fits Daycare/School/Pre-school per licensing. They are already getting complaints from parents. They received complaints via a letter that was disseminated. They are not certified as a school. Can license be affected if the business opens across the street? Licensing is up in August 2016 – unsure if it has an effect.
- Parent/Attorney of the Day Care Center: Not against Medical Marijuana Centers. Feels it negatively impacts the preschool. Repeated information that the area with dispensaries have a negative impact on the area. Feels that parents would not want this type of business across the street. Question was asked: How does it effect it if a five lane street separates the two and the front doors of the building is locked. Feels people smoking in front of the building will occur and odor will be a problem.
- Parent: Environmental impact (smoke coming out) and kids outside. Not against Medical Marijuana, but it would be exposing kids to environment hazards.
- Resident Couple (lives behind the site and owns other homes they rehabilitated in the area): Cherry Hill Plaza is a high quality area. The presence of a facility will deter people from wanting to rent. Negative impact to other property owners too. They want

the Commission to deny the request. Homes on Sherbourne are affected and their friends are affected on Freida as well.

- Resident: Marijuana affects people and we do not need that in Inkster. Selling drugs in Inkster will increase crime. We need more police officer's first.
- Parent/Attorney: The Planning Commission may want to look at the distance from the Day Care Center before taking action.
- Preschools can be considered a school technically. CVS/Walgreens are different than Medical Marijuana. Cultivation facilities must be 500 ft. from a day care.
- Day Care Owner: They are seeing discouragement already from the parents and could lose funding as a result. Since Inkster Public Schools dissolved, they have done a lot of referrals for Inkster students.
- Sits on the Planning Commission for Commerce Township and he is disturbed by the conversation. It is a greater concern for the distance of a medical marijuana facility from a day care than it is for two facilities next to each other.
- Is there an ordinance regulating the distance of a provisioning center to homes? No.
- Planner: Preschools are regulated differently than schools. He refers to the City Attorney for the legal difference.
- Was there disclosure that the day care is a Pre-School when the Planning Commission reviewed the case (314 Inkster for expansion) previously? This was not an issue.
- The facility should not be open 24 hours.

MOVED by Brown, Seconded by Thomas to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Wells to approve the Special Conditions Use with the condition that the Attorney provide a definition of a "school".

Questions: Some Commissioners are interested in an opinion from the Attorney prior to voting on the case. It was noted that the Police Chief had an issue with the site being across the street from a day care (per his letter dated January 26, 2016). Additional concerns included: 1) 6 foot wall and parking verification.

Per the Special Conditions Use planning letter dated March 8, 2016, the following conditions were added to the motion excluding Condition # 1: The results of the public hearing are consistent with the findings presented in this letter, and no specific concerns are raised about proximate to adjacent residential or day care uses:

1. Other City Departments comments are adequately addressed, if any.
2. The Chief of Police approves the security plan and system.
3. All access/easement documentation noted on the site plan is provided and approved administratively by the City Planner.
4. Notes addressing compliance with Inkster Medical Marijuana Provisioning Center requirements are added to a revised site plan, as follows:
 - a. The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - b. Smoking and/or use of medical marijuana shall be prohibited at the provisioning center.
 - c. Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.

- d. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- e. Quarterly inspections may be made by the City Official's designee to confirm the provisioning center is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances.
- f. The center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marihuana Act, as amended, and applicable State of Michigan rules and regulations.
- g. If the provisioning center ceases operation for a length of time of six months or greater, the special conditions use shall expire.

Roll Call

Wooten – No

Brown – No

Garrett – No

Davis – No

Hendricks – No

Nolen – Yes

Thomas – No

Wells – Yes

MOTION FAILED

MOVED by Hendricks, Seconded by Brown to deny the application based on the following:

- 1. Per Special Conditions Use Criteria # 8 in the planning letter dated March 8, 2016, the proposed development will adversely affect the safety, welfare, morals, character and comfort of the residents as a whole.
- 2. The day care (Paradise Preschool located at 314 Inkster Road) is considered a school.
- 3. Per the Zoning Ordinance, Medical Marijuana Provisionary Centers must not be within a 1,000 foot radius from a school.

MOTION CARRIED (Nays: Davis and Nolen)

The planner recommended tabling of the Site Plan Application until after Council reviews the Special Conditions Use. The applicant voiced his concern for the Planning Commission to review the Site Plan today. The planner suggested that it was a benefit to the applicant to move forward with another project if the Special Conditions Use is not approved. Another recommendation was made to move forward with the Site Plan review. Issues with the Site Plan that were identified include: 1) Parking and overflow use at CVS and 2) Wall height.

Question: Is the Site Plan attached to this use or can it be attached to another use? Another retail use may be able to use this Site Plan. The concern is that the other use may have different requirements. It was suggested that a condition could be placed on the Site Plan and a vote tonight. Additional discussion ensued.

MOVED by Davis, Seconded by Brown to table the Site Plan until the March 28, 2016, Planning Commission meeting. **MOTION CARRIED** (Nays: Garrett and Nolen).

- E. Case #15-37 (SCU)/15-38 (SP) – 28661 Michigan Avenue
Public Hearing to receive public input and review Special Conditions Use requirements and associated review of Site Plan requirements to allow a Medical Marijuana Provisionary Center in the B-3 General Business District. Emmett Gibson, LLC is the applicant.

MOVED by Thomas, Seconded by Brown to open the public hearing. **MOTION CARRIED unanimously.**

- Emmett Gibson introduced himself.

Questions/Concerns:

- The street in that area is busy.
- Parking area – How does a car in the handicap parking spot get back into the street? The parking lot is small. Applicant – They would have to back out into the street. It was stated that this is hazardous if parking is on both sides of the street.
- Applicant: The Nail Salon is leaving. The new parking is the property of the house.
- How do people get in and out of the house? Applicant – The owner of the house wants to turn it into a business. The concern remains.
- Planner: The site is tight. Turning radius information can be provided by the applicant. There is enough room if two spaces are occupied. The Engineer did not provide concerns related to parking. A parking lot could be proposed across the street as well.
- Is the applicant aware of requirements to build a new parking lot? Planner: Yes.
- Based on the size of the site, only one handicap space is required.

Public:

- Medical Marijuana Provisionary License Applicant: She applied for a license. She complained about the application process and the Planning Commission not currently reviewing her application. She was referred to the Interim City Manager.

MOVED by Brown, Seconded by Nolen to close the public hearing. **MOTION CARRIED** (Nay by Garrett).

- The number of required parking spaces on the site is 10 including 1 handicap spot based on the size of the building. A suggestion was made that the Planning Commission needs to look at parking standards in general. When the ordinance review is performed, parking standards will be reviewed at that time.
- Problems with street and storm drainage system was discussed. It was suggested that this is a City issue.

MOVED by Hendricks, Seconded by Thomas to approve the Special Conditions Use with the following conditions:

1. The results of the public hearing are consistent with the findings presented in this letter.
2. Other City Departments comments are adequately addressed, if any.
3. The Chief of Police approves the security plan and system.
4. The new parking area can comply with the City Stormwater requirements.
5. Notes addressing compliance with Inkster Medical Marijuana Provisioning Center requirements are added to a revised site plan, as follows:

- a. The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
- b. Smoking and/or use of medical marijuana shall be prohibited at the provisioning center.
- c. Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.
- d. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- e. Quarterly inspections may be made by the City Official's designee to confirm the provisioning center is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances.
- f. The center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marihuana Act, as amended, and applicable State of Michigan rules and regulations.
- g. If the provisioning center ceases operation for a length of time of six months or greater, the special conditions use shall expire.

MOTION CARRIED unanimously.

MOVED by Hendricks, Seconded by Thomas to approve the Site Plan with the following conditions:

1. Provide turning radius calculations.
2. Concerns and comments of all other City Departments, if any, have been addressed.
3. Storm water provision can meets City standards without changing the layout of the site and shall be administratively approved by the City Engineer in consultation with the City Planner.
4. A legally binding shared parking agreement is executed between the parcels; #44 00 80 200 15 003 and #44 00 80 200 15 004.
5. Parcel lines, legal descriptions, and ownership information is included for all sites with improvements noted on the site plan.

MOTION CARRIED unanimously.

V. OLD BUSINESS

There was no old business.

VI. NEW BUSINESS

There was no new business.

VII. MISCELLANEOUS

A. Chairperson Position:

Chairman Wooten is interested in stepping down because he does not feel that he should serve as Chairman of both the Planning Commission and Zoning Board of Appeals (ZBA) in the interest of transparency. An issue may be appealed to the ZBA (ex: interpretation) and his chairing both boards would not be appropriate.

MOVED by Brown, Seconded by Garrett to nominate Hendricks as Chairman. There were no other nominations. Hendricks may be elected to the Charter Commission and if so, he will resign from the Planning Commission. **MOTION CARRIED unanimously.**

B. Site Plans – The reviewed cases had a lot of conditions and they did not appear ready to go to the Planning Commission. Site Plans should be as complete as possible prior to going to the Planning Commission.

C. Pre-Planning Commission Meetings – It was determined that the Planning Commission cannot meet on cases prior to a Planning Commission Meeting but a representative can attend the Development Review Team meetings as was done in the past.

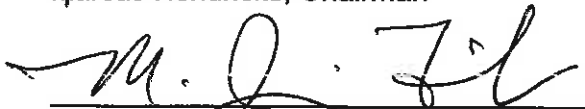
VIII. ADJOURNMENT – 9:50 p.m.

MOVED by Brown, Seconded by Davis to adjourn the Planning Commission meeting held on March 14, 2016. **MOTION CARRIED unanimously.**

Respectfully submitted,


Marcus Hendricks, Chairman


James Garrett, Secretary


M. Jeannie Fields
Community Development Manager

MEMORANDUM

TO: Inkster Planning Commission
ATTN: Jeannie Fields, Community Development Manager
CC: Mark Stuhldreher City Manager
David Jones, City Attorney
FROM: Paul Lippens AICP, Principal Planner

SUBJECT: Proposed Zoning Ordinance Amendment:
Reduce Similar Use Buffer for Provisioning Centers from 1000 feet to 500 feet

APPLICANT: Huck Property LLC, Ron Boji dated 1/28/16

DATE: February ^{29th} ~~28~~, 2016

BACKGROUND

We have reviewed the above application for a text amendment to reduce the similar use buffer for provisioning centers in the B-1, B-2, B-3 Zoning districts from 1000 feet to 500 feet. Uses permitted in the B-3 District are also permitted, subject to special conditions, in the TCD district.

The approval of provisioning centers are subject to special conditions in all of Inkster's commercial districts, and this buffer requirement is one of the standards required for approval. The applicant owns a property located at Michigan and Huck and proposes to open a provisioning center at the location. The Master Plan designates the site, and the commercial section of Michigan between Harrison and Hill has Town Center in the Future Land Use Plan and this designation generally corresponds to the TCD, Town Center District in the Inkster Zoning Ordinance.

REVIEW CONSIDERATIONS

The following items are pertinent to the consideration of the proposed text amendment to reduce the buffer requirement from 1000 feet to 500 feet special conditions in the B-1, B-2, B-3, and TCD Zoning.

1. Current Permitted Uses in B-1.

The intent of the B-1 Local Business Districts is to provide residential scale convenience shopping and personal service uses to meet the day-to-day needs of persons residing in adjacent residential areas.

Representative principal uses permitted in B-1 include: retail establishments grocers, hardware, pharmacies, personal services, repair shops, beauty shops, and dry cleaners.

Representative uses permitted subject to special conditions in B-1 include: mixed use buildings, bursary schools, public utilities, and public buildings without storage yards.

2. Current Permitted Uses in B-2.

The intent of the B-2 Thoroughfare Mixed-Use District is to provide locations for a mixed use environment of business and higher density residential uses and also to balance both the convenience and comparison shopping needs of neighboring residents.

Representative principal uses permitted in B-2 include: retail establishments, private clubs, restaurants, banks, professional offices, public buildings, design studios, beauty shops, townhomes, multifamily dwellings, and mortuaries.

Representative uses permitted subject to special conditions in B-2 include: bowling alleys, public utilities, automobile services stations (when developed as a part of a shopping center), senior housing, drive-through restaurants, mixed use business and residential buildings, theaters, and tattoo parlors.

3. Current Permitted Uses in B-3.

The intent of the B-3 General Business District is to provide locations for development of businesses which cater primarily to the comparison shopping needs of the City's and surrounding communities' residents on an intermittent or semi-monthly or greater basis.

Representative principal uses permitted in B-3 include: retail establishments, mortuaries, bus stations, indoor vehicle sales, standard restaurants, bowling alleys, reproduction centers, veterinary services, and utilities.

Representative uses permitted subject to special conditions in B-3 include: adult oriented businesses; bar or establishment for the sale of beer or intoxicating liquor for consumption on the premises; motels, inns and travel lodges; secondhand stores; vehicle wash establishments; auto service stations.

4. Current Permitted Uses in TCD.

The TCD Town Center District intends to provide a vibrant mixed-use civic center. This district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core.

Representative principal uses permitted in B-3 include: Multi-family residential buildings, retail businesses consistent with the vision of the district, personal services, hotels, professional offices, restaurants, theaters, and civic uses.

Representative uses permitted subject to special conditions in TCD include all uses permitted in the B-3 District; excepting that auto-oriented and adult business uses are strictly prohibited.

5. Requested Permitted Uses in B-1, B-2, B-3, and TCD District

Medical Marijuana provisioning centers are permitted subject to special conditions in the B-1, B-2, B-3, and TCD Districts. The text amendment proposes reducing the required distance between provisioning centers from 1000 feet to 500 feet, or from about one every other City block to one per City block.

6. Consistency with the Master Plan

The area of the City Zoned B-1 and B-2 generally correspond to the area that is designated Neighborhood Commercial in the Master Plan. The area of the City zoned B-3 generally corresponds to the area that is designated Mixed Use Commercial in the Master Plan. The area Zoned TCD generally corresponds to the area that is designated Town Center in the Master Plan.

It was determined by City Council and Planning Commission, when these bodies reviewed the text amendments to permit provisioning centers subject to special conditions in the City's commercial districts that this use was similar to a retail pharmacy. Further, one of the primary reasons cited by the Council was the perceived economic benefit of permitting this use in the City.

The Michigan Avenue Mixed Use Commercial is envisioned to be a regional commercial corridor that caters to goods and services that are needed less frequently than convenience needs. Medical Marijuana Provisioning Centers will likely have a substantial draw and is consistent with the vision of the Master Plan. The Town Center area is envisioned to be the walkable core civic downtown trade area in the City. Additionally, the Master Plan, in several places, asserts the importance of supporting local business, economic development, and job creation in the City.

In reviewing the practical application of a 1000 foot buffer between provisioning centers, the number of sites and thus the potential economic and job creation benefit would be limited. Reducing the required buffer to 500 feet will allow for more flexibility and improve the potential for positive economic impacts in the City.

We find that reducing the required buffer between provisioning centers, permitted subject to special conditions, from 1000 feet to 500 feet in the B-1, B-2, and B-3 districts is consistent with the Master Plan.

7. Market Trends and Demand.

The applicant's proposal is indicative that there is a demand for the use in the district.

8. Traffic Impact.

The B-3 District and TCD District follows the Michigan Avenue corridor. Michigan Avenue is a US Highway and State Trunkline, with capacity to handle traffic generated by the use.

RECOMMENDATION

The information in this review demonstrates that reducing the similar use buffer from 1000 feet to 500 feet for Medical Marijuana Provisioning Centers, subject to special conditions, in the B-1, B-2, and B-3 districts is appropriate. Based on the findings presented herein, we respectfully recommend the Planning Commission recommend approval of the following text amendments to City Council.

Proposed Zoning Ordinance Provisions

(Text proposed to be removed: strikethrough; New text: underlined)

§ 155.148 MEDICAL MARIJUANA PROVISIONING CENTERS

- (C) A provisioning center shall not be located within a ~~one thousand (1000)~~ five hundred (500) foot radius of a lawfully existing medical marijuana provisioning center.

February 24, 2016

Jeannie Fields, Community Development Manager
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: Michigan and Huck (Dimensional Variance) Medical Marijuana Provisioning Center
#1 Variance from separation distance required for a special conditions use

Location: NW corner - Michigan Avenue and Huck

Zoning: TCD, Town Center District

Applicant(s): Ron Boji (Owner: Huck Property LLC)

Dear Ms. Fields:

At your request, we have reviewed the above-referenced application for a dimensional variance for a proposed medical marijuana provisioning center and offer the following comments for your consideration.

DESCRIPTION OF THE SITE

The site is located at the northwest corner of Michigan Avenue and Huck Court and has a total area of 0.54 acres (23,522 square feet). The site is vacant land and the applicant proposes to construct a new 3000 square foot building with 2 tenant spaces, parking and associated site improvements. The site is in the TCD, Town Center District, which permits medical marijuana provisioning centers (also including dispensaries) as a use subject to special conditions.

Based on the Application the following variance is requested:

#1 Variance from Section 155.148(C) for separation distance between 2 facilities

- Separation Distance Required - 1000 feet
- Separation Distance Proposed - 800 feet

VARIANCE REVIEW COMMENTS

Public Act 110, as amended, grants the Board of Zoning Appeals the authority to grant nonuse variances relating to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance. The variance may be granted if the "spirit of the zoning ordinance is observed, public safety secured, and substantial justice done." The concurring vote of a majority of the members of the Board shall be necessary to grant a variation in a provision of the Zoning Ordinance.

Variance from Setback Requirements

- a. **The Applicant Shows Practical Difficulty.** We find that based on review of the site and the justification presented by the applicant; there is no practical difficulty as defined by the Ordinance.
- i. *Strict compliance is unnecessarily burdensome – One of the requirements for special conditions use for a Medical Marijuana Provisioning Center (MMPC) is to provide for a separation distance between like facilities in order to create a buffer and protect public health and welfare. At the time the applicant applied for site plan and special conditions approval for a MMPC, it was preceded by an application from another party for a similar provisioning center to be located at 27332 Michigan Avenue. That location is approximately 800 feet east of the subject site. If all the required conditions are met, that site shall receive the approval and the applicant will not be allowed to have the proposed use at the subject site.*

The subject site has a prominent location on Michigan Avenue and is zoned TCD which allows for a multitude of commercial and office uses. Strict compliance with the ordinance would prohibit the use of the site for a MM provisioning center; however, it does not prevent the use of the property like any other TCD zoned parcel within the City. Not being allowed a specific conditional land use on the site when it is suitable for any number of other uses is not construed as being unnecessarily burdensome.

- ii. *A variance would result in a substantial justice being done. Permitting a second MMPC to be located within 1000 feet of another facility is contrary to the intent of the regulation and granting waiver to a buffer distance between uses may have potential adverse impacts. Allowing for the reduced separation distance could result in an injustice to other property owners in the district and City.*
- iii. *There are unique circumstances to the property. To our knowledge there are no unique circumstances associated with the property. It is a buildable commercial parcel located with frontage onto a principal arterial with a local street frontage as an added advantage.*
- iv. *The hardship was not self-created – The hardship per the applicant is the inability to operate an MMPC on the site due to its proximity to another facility located less than 1000 feet from it. The hardship is entirely self-created by the applicant desire to operate a special conditions use on a site that does not meet the required separation from a similar use. As noted previously, the site is a viable commercial parcel for numerous uses allowed by the Zoning Ordinance; therefore, the applicant's hardship is self-created.*
- b. **The Spirit of the Zoning Ordinance is Observed.** *The ordinance allows MMPC uses as a special conditions use in the TCD district, even though the TCD district is envisioned as the core of the community for mixed-use retail and office development. Having 2 MMPC uses with a less than 1000 foot separation is contrary to the intent of the zoning ordinance to limit the concentration of provisioning center uses in the TCD district area. The separation distance is intended to create a buffer between uses that could potentially have adverse impacts. Therefore the request for variance is not in keeping with the spirit of the ordinance.*

- c. **Public Safety Is Secured.** We find that the request for variance will likely be contrary to public safety for the following reasons.
 - i. Will be contrary to the intent and purpose of the ordinance.
 - ii. Will not allow for the intended buffer between similar conditional uses.
 - iii. Will alter the character of the surrounding area if placed at less than the separation distance.

FINDINGS

The following findings are pertinent to the request:

1. The existing zoning of the property provides for its reasonable use and denial of the variance to use the site for a Provisioning Center does not detract from the owner's use of the property.
2. There are no unique circumstances peculiar to the property, which make it unusable or difficult to use without a variance.
3. The addition of a Provisioning Center at this site, within 1000 feet of a similar facility will not be consistent is counter to the intent of the Zoning Ordinance, which is to limit the concentration of facilities proximate areas.
4. Approval of the variance eliminates the required buffer between uses that could have potentially adverse impacts on public safety and welfare.
5. The need for the variance is self-created by the applicant.

RECOMMENDATION

Based upon our findings discussed above, we recommend that the ZBA deny the request to reduce the separation distance between two MMPC from 1000 feet to approximately 800 feet for the subject site located at the Northwest corner of Michigan Avenue and Huck intersection.

Respectfully submitted,

McKENNA ASSOCIATES



Paul Lippens, AICP
Principal Planner

March 21, 2016

Regular City Council Meeting – 7:30 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, March 1, 2016.

Prior to the Regular Council Meeting: City Council members discussed:

- The agenda.
- Medical Marijuana Applicant Presentations

Moved by Councilmember Richardson, Seconded by Councilmember Howard that Council convenes into a Closed Executive Session at 7:35 p.m. to discuss pending litigation in accordance with MCL 15.286 (e).

Roll Call Vote:

YEAS: 7
NAYS: 0
ABSENT: 0

Moved by Councilmember Richardson, Seconded by Councilmember Jones to adjourn the closed Executive Session at 7:55 p.m. – Motion carried unanimously.

Call Meeting to Order

Mayor Nolen called the meeting to order at 8:05 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was led by Pastor Leon Crawford

Roll Call

Mayor Nolen	Present	Councilwoman Howard	Present
Councilwoman Watley	Present	Mayor Pro-Tem Williams	Present
Councilman Oden	Present	Councilman Jones	Present
Councilwoman Richardson	Present		

***A Quorum was present**

Approval of Agenda

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Watley to approve the agenda with the removal of item "G" under New Business. Resolution 3-16-66?R - Motion carried.

Presentations/Discussion

- Inkster Public Library – Michael Wells
- Junior Achievement – Margret Trimler-Hartley

Public Hearings

Consent Agenda

- A. March 7, 2016 Regular City Council Meeting Minutes.
- B. Allen Brother's and Attorney's PLLC Invoice \$37,549.24

Moved by Councilmember Richardson, Seconded by Councilmember Jones to approve the Consent Agenda. Resolution 3-16-67R – Motion carried.

Boards and Commission

- A. Update of current list of appointments to Boards & Commissions.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Jones to appoint Nell Harrison to the Local Business Enterprise. Resolution 2-16-68R – Motion carried.

Previous Business

- A. Tabled a Hiring Freeze

Moved by Councilmember Watley, Seconded by Councilmember Oden to remove from the table a hiring freeze. Resolution 3-16-69R – Motion carried.

**Moved by Councilmember Watley, Seconded by Mayor Pro-Tem Williams to place a hiring freeze for non-essential newly created job positions and excluding temporary positions that are seasonal. Resolution 3-16-70R – Motion carried
NAY: (Howard)**

- B. Tabled Code Enforcement being placed under Police and/or Fire

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Jones to remove from the table Code Enforcement being placed under Police and/or Fire and withdraw his motion. Resolution 3-16-71R – Motion carried.

C. Tabled Senior Services Reallocation

Moved by Councilmember Richardson, Seconded by Councilmember Oden to remove from the table Senior Services Reallocation. Resolution 3-16-72R – Motion carried.

Moved by Councilmember Richardson, Seconded by Mayor Pro-Tem Williams to allocate \$39,000.00 out of the General Fund to Senior Alliance and Parks and Recreation. Resolution 3-16-73R – Motion carried.

Ordinance(s)

- A. First Reading(s)
- B. Second Reading(s)

New Business

- A. Discussion/Action: (Jeannie Fields) Consider approval of an offer to purchase (Case # LD15-05) one residential parcel of land located on the west side of Hyde Park off Michigan Ave. (north) between Middlebelt and Central Ave. and is legally described as 1259B 1260B the E. 25.0 Ft. of the s 19.9 Ft of Lot 1258. Also the 25.0 Ft of Lot 1259: Also the E 25 Ft of the N 15.1 Ft of Lot 1260 Hype Park Sub No. 1 T2S, R9E, L57, P23, 24 WCR (Property ID #44-008-01-1258-302) in the total amount of \$800.00 (applicant Carlton Schropshire)

Moved by Councilmember Richardson, Seconded by Councilmember Howard to approve the residential parcel of land located of Hyde Park off Michigan Ave. to applicant Carlton Schropshire. Resolution 3-16-74R – Motion carried.

- B. Discussion/Action: (John Adams) Consideration to transfer blighted city owned residential properties to the Michigan Land Bank (MLB) for demolition under out Hardest Hit grant with MSDHA.

Moved by Councilmember Jones, Seconded by Mayor Pro-Tem Williams to approve the transfer of blighted city owned residential properties to the Michigan Land Bank. Resolution 3-16-75R – Motion carried.

- C. Discussion/Action: (Mark Stuhldreher) Consideration and approval of three Fiscally Distressed Cities, Villages, and Townships (FDCTV) Grant Agreements (for Public Safety Communication Replacement, Fleet Replacement Program for 4 vehicles, Police Community Relations Officer) between the City of Inkster and Michigan Department of Treasury.

Moved by Councilmember Jones, Seconded by Councilmember Oden to accept the three Fiscally Distressed Cities, Villages and Townships grants. Resolution 3-16-76R – Motion carried.

- D. Discussion/Action: (Jeannie Fields) Consider approval of a Special Conditions Use (SCU 15-31) to allow a Medical Marijuana Provisionary Center located at 27332 Michigan Ave. in the Town

Center District (TCD) with conditions noted as recommended by the Planning Commission (applicant Patrick Wimberly)

Moved by Councilmember Jones, Seconded by Mayor Pro-Tem Williams to approve a Special Conditions Use for a Medical Marijuana Provisionary Center located at 27332 Michigan Ave. In the Town Center District.

Resolution 3-16-77R – Motion carried.

NAY: (Howard)

- E. Discussion/Action: (Jeannie Fields) Consider approval of a Special Conditions Use (SCU 15-33) to allow a Medical Marijuana Provisionary Center located at Huck Ct. and Michigan Ave. in the Town Center District (TCD) with conditions noted as recommended by the Planning Commission. (applicant M1M Group Inkster, LLC)

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Jones to approve a Special Conditions Use for a Medical Marijuana Provisionary Center located at Huck Ct. and Michigan Ave. in the Town Center District subject to the approval of the text amendment.

Resolution 3-16-78R – Motion carried.

NAY: (Howard, Watley)

- F. Discussion/Action: (Jeannie Fields) Consider denial of a Special Conditions Use (SCU 15-35) to allow a Medical Marijuana Provisionary Center located at 315 Inkster Road in the B-2, Thoroughfare Mixed Use District as recommended by the Planning Commission. (applicant SJ Ink, LLC)

Moved by Councilmember Watley, Seconded by Councilmember to approve a Medical Marijuana Provisionary Center located at 315 Inkster Rd. in the B-2 Thoroughfare Mixed Use District contrary to the Planning Commission's recommendations of items 1-3 and their definition of schools.

- 1. Per Special Conditions Use Criteria # 8 in the McKenna Associates planning letter dated March 8, 2016, the proposed development will adversely affect the safety, welfare, morals, character and comfort of the residents as a whole.**
- 2. The day care (Paradise Preschool located at 314 Inkster Road) is considered a school.**
- 3. Per the Zoning Ordinance, Medical Marijuana Provisionary Centers must not be within a 1,000 foot radius from a school.**

Resolution 3-16-79R – Motion carried.

- ~~G. Discussion/Action: (Jeannie Fields) Consider approval of a Special Conditions Use (SCU 15-37) to allow a Medical Marijuana Provisionary Center located at 28661 Michigan Ave. in the B-3, General Business District with conditions noted as recommended by the Planning Commission (applicant Mario Gibson, LLC) **(REMOVED)**~~

- H. Discussion/Action: (Jeannie Fields) Consider approval of the sale of a non-buildable 20 ft. strip of vacant commercial land located on the west side Huck Ct. between Michigan Ave. and Kurtzell and is legally described as the North 20" of Lot 38 (Property ID #44-007-01-0038-300) in the total amount of \$2,500.00 (applicant Huck Property, LLC.)

to approve the sale of a non-buildable 20 ft. strip of vacant commercial land located on the West side of Huck Ct. between Michigan Ave. and Kurtzell.

Resolution 3-16-80R – Motion Died for Lack of Support

Public Participation

- **George Williams** – Informed residents of National Prayer Day, May 2, 2016. He stated he would like to pray on Monday, May 2, 2016 before the City Council meeting.
- **Nawal Alsaeed** – Stated she is the owner of Creative Kids learning facility and is in objection of the approval of a Medical Marijuana Provisioning Center being placed across the street.
- **Mohamad Bavvi** – Stated he is the lawyer for Creative Kids Learning center and the statue to determine a school is incorrect.
- **Willie Johnson** – Stated Medical Marijuana should not be in Inkster.
- **Opal Nolen** – Announced the Inkster Community Foundation Scholarship Luncheon to be held on April 2, 2016 at 11:30 a.m.
- **Gabe Henderson** – Announced the Inkster Goodfellow Fish and Spaghetti Dinner to be held April 8, 2016 at the Booker Dozier Center.
- **Samantha Bevins** – Stated five applications per the Medical Marijuana Application were to be processed. She stated she was the fifth person and why was her application not processed. She further stated everything was done her site plans, and money paid.
- **Akindele Akinyemi** – Stated the Inkster DDA is part of the Michigan Main Street Program. He stated that are trying to receive the master level certification. He further stated that Michigan Ignite agreed to come to the City of Inkster and help to start businesses.
- **Shirley Hankerson** – Stated she is against Boji coming into the City of Inkster.
- **Dorothy Gardner** – Announced the Mother's Day Brunch for May 8, 2016. She asked if the revisions to the Senior Millage are being paid and Christmas Lights. She stated the citizens elected a new council and want to see change.
- **Michael Green** – Stated he was against a Medical Marijuana Provisioning Center being put across the street from a daycare. He further stated he does not want to see Boji in the City of Inkster. Lastly he said that Code Enforcement should be placed under the Police Department.
- **Timothy Lessening** – Stated there was an injunction filed on part of another applicant who applied for a Medical Marijuana Provisionary Center. He stated the process had no transparency and or oversight.
- **William Miller** – Asked questions regarding demolition properties.

City Clerk

- No Comments

City Manager

- Stated that some council members were given electronic equipment if the equipment is not working well to let him know.
- He stated that in the city council budget there is allocation for training and workshops.
- Stated that a store with a Liquor License was looking to expand but nothing had been acted upon from the city to date.
- He stated it is his intent to get out of the Consent Agreement and he assumed the role of Interim City Manager when the previous council voted him in. He stated that both the position of interim city manager and treasurer are both demanding roles. He asked city council to think about looking to hire interim city manager.

Mayor and Council

- **Councilwoman Howard** – Stated the training class attended in Frankenmuth was informative. She also asked administration to elaborate on the credit rating going up.

Inkster City Council Meeting
March 21, 2016

- **Mayor Pro-Tem Williams** – Invited residents to Shop Inkster. He thanked Fire Chief, John Adams for the home that was knocked down on Durant. He stated that Inkster ICARE would be hosting a coat drive on April 19, 2016 at the Booker Dozier complex and the coat drive is to benefit the coats for kids. He further stated that trash was being dumped on Crystal Court and that a time limit should be placed on City Council meetings. He informed city council members about a conference he wanted to attend put on by MML in Lansing.
- **Councilman Jones** – Announced the Chamber Mixer. He thanked Tariq Shariff and Michael Bevins for their clean-up efforts on Cherry and Ludington. He thanked the residents for voicing their opinions on the new city council and stated they are new but trying to do a good job.
- **Councilwoman Watley** – Announced the Memorial Day Parade. She stated this year's event would be grand and that it is being sponsored by ICAN. She asked anyone interested in participating to contact ICAN. She stated that the citizens have a paid for the water five times. She stated this happened the first time with the city, the second time the rates were raised, the third time the water was placed on taxes, the fourth time there was a new sewage levy and the fifth time, the high water rate was supposed to take care of the problem. She further stated that on March 24, 2016 the group ICAN would be meeting at St. Clemons church and discussion topics. Lastly she asked for a resolution

Moved by Councilmember Watley, Seconded by Councilmember Richardson for City Council to waive the event fees for the 47th Annual Memorial Day Parade sponsored by ICAN.
Resolution 03-16-81R – Motion Carried

- **Councilman Oden** – Stated that homes are starting to be torn down in the city. He also stated that cars are being stored behind fences within the city and that cars are parked on Colgate Street. He lastly stated that there would be a clean-up effort in District 2 headed up by Gabe Henderson.
- **Councilwoman Richardson** – Stated that the Inkster Commission on Aging and Inkster Senior Services would be hosting a Mother's Day Brunch on May 8, 2016 from 1-4 pm at Roma Hall and that tickets were being sold for \$25.00.
- **Mayor Nolen** – Apologized to residents for losing his temper. He stated that it was rude for audience members to be speaking from their seats when city business is being conducted. He further stated that he would not go into someone else's meeting and interrupt. He lastly stated that when he votes on city council, he can justify his vote and if any persons would like to speak to him why he voted a particular way, to please feel free to contact him.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Councilmember Richardson, Seconded by Councilmember Oden and carried, the Regular Council meeting of March 21, 2016 was adjourned at 10:15 p.m.



Felicia Rutledge, City Clerk
City of Inkster

CITY OF INKSTER

Boards & Commissions

[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE]

AGING COMMISSION

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term

9 Members

Ordinances: 414,457 & 508

Denise Champagne, Project Dir.

Tenure

- (Ex-Officio Member)

Rochelle Wells

Exp. 02/16/17

Audrey Jean Searcy

Exp. 06/02/16

Doris Horne

Exp. 02/16/17

Henry Wade

Exp. 02/01/18

Toni Bailey

Exp. 07/06/17

Dorothy Gardner

Exp. 06/16/16

Chuck Coleman

Exp. 02/01/18

Gabe Henderson

Exp. 02/01/18

June Patterson

Exp. 12/1/16

Patricia Donald

Exp. 07/06/17

Jessie Shelby

Exp. 08/03/17

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

Clerk of the Board – Non Voting

William Miller

Exp. 01/19/17

Peggy Jordan

Exp. 01/19/17

Lenoria Warmack

Exp. 01/04/17

Celeste McDuffie

Exp. 01/04/17

BEAUTIFICATION COMMITTEE

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term

Toni Bailey

Exp. 04/26/16

Enoch Jackson

Exp. 04/26/14

Joe Burton

Exp. 04/26/14

Rev. George Williams (T)

Exp. 04/26/16

Eunice Williams (C)

Exp. 04/26/14

Wyanetta Motley (S)

Exp. 04/16/14

Horace Jordan

Exp. 04/26/14

Larry Motley (C)

Exp. 04/26/14

Dorothy McClendon

Exp. 05/14*

Dr. Evelyn Clark

Exp. 05/14*

Tommie Jones

Exp. 05/14*

Cephus Thomas

Exp. 04/26/14

Clareese Jordan

Exp. 11/13

LaShawn Westbrook

Exp. 05/14*

Blinda Jones

Exp. 05/14*

Robert Broadnax

Exp. 05/07/14

Minnie Johnson

Exp. 05/14*

Alana Glover

Exp. 05/07/14

Gabe Henderson

Exp. 05/19/16

Shera Johnson

Exp. 05/14*

Demetrius Dalton

Exp. 05/21/14

Henry Wade

Exp. 05/14*

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Henry Wade		Exp. 12/17
- (Licensed Plumber)		
Stephen Lawrence		Exp. 12/17
Tiara Jones		Exp. 10/17
Kenyatta Mason		Exp. 10/17
- (Licensed Electrician)		
Marcus Hendricks –		Exp. 12/17
- (Licensed Electrician)		
- Building Inspector		
- (Licensed Engineer/Inspector)		

DOWNTOWN DEVELOPMENT AUTHORITY

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

4 Year Term	12 Members	State Law and Ordinances 687 and 741
Byron Nolen		Tenure
Martha Theis		Exp. 01/14/18
Lewis Gregory		Exp. 10/06/18
Cynthia Adams		Exp. 01/14/18
Brittni Abiolu		Exp. 05/18/19
Peter Cimeot (Treasurer)		Exp. 01/21/18
Akindele Akinyemi (Chair)		Exp. 02/16/19
Val Ogbonaya		Exp. 07/20/19
Winston Wade (Vice-Chair)		Exp. 12/17/16
Rerhi Onomake (Secretary)		Exp. 3/16/19
Uche Ndubuisi		Exp. 7/20/19

ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

6 Year Term	11 Members	State Law and Ordinances 517 and 570
Byron Nolen		Tenure
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Winnie Nwankwo		Exp. 05/18/21
Akindele Akinyemi		Exp. 05/18/21
Deborah Walker		Exp. 06/07/16
Mary Weislo		Exp. 03/07/17
Cassandra Leonard		Exp. 06/07/16
Herbert Johnson		Exp. 06/07/16
Dennis Weislo		EXP. 06/07/19
Vacant		

ELECTRICAL EXAMINING BOARD

Indefinite Terms	4 Members	State Law and Ordinance 616
Walter Bays (Elec. Cont.)		
Andrew Hughes (Adm. Official)		
Carlton Trouteaud (Rep. of Detroit Edison)		

[MEETINGS: First Tuesday of each month at 7:30 P.M., Recreation Complex]

Ordinances: 493 & 551

Exp. 10/06/16
Exp. 03/25/16
Exp. 09/15/16
Exp. 12/01/16
Exp. 10/15/16
Exp. 09/15/16
Exp. 02/16/17
Exp. 12/21/17
Exp. 01/20/17

2 Year Term	6 Members
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Exp. 3/7/18
Exp. 3/7/18
Exp. 3/7/18
Exp. 3/7/18
Exp. 3/7/18
Exp. 3/7/18
Exp. 3/7/18

[MEETINGS: Fourth Monday of each month at 6:00 p.m., City Council Chambers]

State Law and Ordinance 33

Exp. 12/18
Tenure
Exp. 10/18
Exp. 10/18
Exp. 04/18
Exp. 08/17
Exp. 09/16
Exp. 10/17
Exp. 08/16

[MEETINGS: First Thursday of each month at 1:00 p.m., TIFA Room]

Charter

Exp. 12/17
Exp. 12/13
Exp. 12/13
Exp. 12/17
Exp. 12/12

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

App. 01/07/13
App. 01/07/13
App. 01/07/13
App. 01/07/13
App. 02/04/13
App. 02/18/13
App. 02/18/13

ZONING BOARD OF APPEALS (ZBA)

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term	7 Members	State Law and Ordinance 277
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Ruth E. Williams	Dist. 1	Exp. 02/15/19
Clarence Oden, Jr. (VC)	Dist. 2	Exp. 01/14/17
James Cross	Dist. 3	Exp. 07/01/16
Roosevelt Stubbs (S)	Dist. 4	Exp. 09/2/17
Vanola Williams	Dist. 5	Exp. 09/03/16
Norma McDaniel	Dist. 6	Exp. 10/05/18
Richard Wooten (Chair) (Planning Comm. Appointee)		Exp. 01/14/17

Nankin Transit

[Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit 36300 Warren Rd. Westland, MI. 48185]

Mayor Pro-Tem Timothy Williams	Exp. Tenure
Denise Champagne, Community Appointee	Exp. (Appointed in 2009)

2015 Community Development Block Grant Advisory Council (CDBG)

[Meetings: Dates and times are quarterly and locations are various]

Timothy Williams, Council Appointee **Exp. 2016**

COMMITTEES FORMED BY COUNCIL RESOLUTIONS

TAX INCREMENT FINANCE AUTHORITY

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]

6 Year Term	13 Members	Resolution 85-8-331
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Byron Nolen	Tenure
Bishop Walter L. Starghill, Jr. (Chair)	Exp. 06/07/16
Herbert Johnson (Vice Chair)	Exp. 06/07/16
Deborah Walker (Secretary)	Exp. 06/07/16
Rerhi Onomake	Exp. 03/16/21
Dennis Weislow	Exp. 06/07/19
Cassandra Leonard	Exp. 06/07/16
Mary Weislow (Treasurer)	Exp. 06/07/16
Winnie Nwankwo	Exp. 05/18/21
Akindele Akinyemi	Exp. 05/18/21

BROWNFIELD REDEVELOPMENT AUTHORITY

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]

Terms 1, 2 and 3 years Up to 9 members Resolution 02-9-458

Timothy Williams, City Council Representative	Tenure
Mark Stuhldreher, Treasurer	Tenure
M. Jeannie Fields, Community Dev. Mgr.	Tenure
Tonia C. Williams (C)	Exp. 10/06/16
Dorothy Gardner	Exp. 09/21/17

NOTES:

Vacancies and/or Expired terms

*Has not taken the oath