



CITY OF MARINE CITY

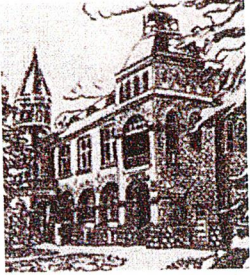
City Commission Meeting Agenda

Guy Community Center
260 South Parker Street

Regular Session: Thursday, February 1, 2024; 7:00 PM

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVE AGENDA**
- 5. PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS**
 - a. Historical Society of Marine City Endowment Fund Presentation
- 6. PUBLIC COMMENT**

Anyone is welcome to address the City Commission. Please state name and limit comments to five (5) minutes. This is a time for you to raise issues. The Commission will not respond, but issues will be followed up on as necessary.
- 7. APPROVE MINUTES**
 - a. City Commission Meeting Minutes – January 18, 2024
- 8. CONSENT AGENDA**
 - a. TIFA Board Meeting Minutes – October 17, 2023
 - b. Pension Board Meeting Minutes – October 24, 2023
 - c. Pension Board Retiree Healthcare Meeting Minutes – October 24, 2023
 - d. Local Government Approval – Charitable Gaming License, Marine City Civic Women’s Club
- 9. ITEMS REMOVED FROM CONSENT AGENDA**
- 10. FINANCIAL BUSINESS**
 - a. Expenditures (including payroll) – \$219,796.85
 - b. Expenditures (Safe Drinking Water Project) - \$175,700.00
- 11. UNFINISHED BUSINESS**
 - a. Police Department - Body Camera Waiver
 - b. Ordinance 24-001 – Adult Use Marijuana 2nd Reading and Application Review
 - c. ARPA Fund Allocation Discussion
- 12. NEW BUSINESS**
 - a. Tablet Purchase - CDWG
- 13. ADMINISTRATIVE REPORTS**
- 14. COMMISSIONER PRIVILEGE/LIAISON REPORTS**
- 15. ADJOURNMENT**



The Historical Society of Marine City

P.O. Box 23 • Marine City, Michigan 48039 • 810.278.3228 • www.historicalsocietymarinecity.org

January 18th, 2024

Dear Mr. Bell

The Historical Society of Marine City would like the opportunity to address the City Commission at their meeting on February 1st, 2024 at 7:00 p.m. Our Board Member, Georgia Phelan, would like to have a few minutes to update the Commission on the status of the Historic City Hall Endowment Fund. If possible we would like to be scheduled as early as possible on the Agenda for that meeting.

Thank you for your consideration,

Sincerely,

Heather Bokram, Secretary.

**City of Marine City
City Commission Minutes
January 18, 2024**

A regular meeting of the Marine City Commission was held on Thursday, January 18, 2024 at 260 South Parker Street, Marine City, and was called to order by Mayor Vandebossche at 7:01 P.M.

Present: Mayor Jennifer Vandebossche, Commissioners Jacob Bryson, Elizabeth Hendrick, William Klaassen, Sean O'Brien, Rita G. Roehrig, Brian Ross; City Manager Scott Adkins; City Attorney Robert Davis; City Clerk Jason Bell.

Absent: None.

AUDIO/VIDEO AVAILABLE

For complete audio of meeting, visit the following link:

https://www.youtube.com/watch?v=7hwC4o_HuUs

APPROVE AGENDA

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the agenda. All Ayes.
Motion Carried.

PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS

None.

PUBLIC COMMENT

Rudy Menchaca spoke on businesses and sidewalk encroachments with tables, ropes, etc. He also spoke on the traffic light at Main and Broadway having an issue with the crosswalk light and not giving enough time or displaying incorrectly.

Joe Moran spoke on the blight/vacant building ordinance and the creation of it to benefit the City and that the ordinance is still needed.

Phil Oleksiak spoke on marijuana facilities and it was his opinion to build in all the enforcements possible by law.

APPROVE MINUTES

City Commission Meeting Minutes – December 14, 2023

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the City Commission Meeting Minutes of December 14, 2023. All Ayes. Motion Carried.

CONSENT AGENDA

Presented:

- a. MCAFA Run Report
- b. Departmental Monthly Activity Reports
- c. Corrective Amendment to Employment Agreements
- d. Local Government Approval – TwoRivers Winery, LLC; On-Premises Tasting Room Permit
- e. Business License – Schneider’s Motorsports and Marine
- f. Special Event Permit – Marine City Chamber of Commerce Fire, Ice & Spice Festival

Motion by Commissioner Bryson, seconded by Commissioner Hendrick, to approve the Consent Agenda a-f as presented. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, O’Brien, Roehrig, Ross, Vandenbossche. Nays: None. Motion Carried.

ITEMS REMOVED FROM CONSENT AGENDA

None

FINANCIAL BUSINESS

Expenditures Including Payroll - \$867,621.18

City Manager Adkins stated the large number was due to only having one meeting in December and January as well as end of year items and taxes being paid out.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve expenditures including payroll in the amount of \$867,621.18. **Roll Call Vote.** Ayes: Hendrick, Klaassen, O’Brien, Roehrig, Ross, Vandenbossche, Bryson. Nays: None. Motion Carried.

Preliminary Financial Statements

Commissioner Ross stated Treasurer Katy Posey was doing a great job.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to receive and file the preliminary financial statements. All Ayes. Motion Carried.

Resolution 001-2024 – Notice of Intent and Declaring Intent to Reimburse

City Manager Adkins spoke on the Resolution and the requirement per the Safe Drinking Water grant in order to obtain bonds and to publish the notice in the newspaper. Commissioner Ross stated this was the produced work product from Miller Canfield.

Commissioner Hendrick inquired on the \$20,000,000 indicated in the notice. City Manager Adkins stated there were extra funds built in just in case, but it was still projected to be \$13,000,000.

Motion by Commissioner Byrson, seconded by Commissioner Ross, to approve Resolution 001-2024 a Resolution Authorizing Notice of Intent and Declaring Intent to Reimburse. **Roll Call Vote.** Ayes: Klaassen, O'Brien, Roehrig, Ross, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

Resolution 002-2024 – Poverty Exemption Policy & Guidelines

City Manager Adkins stated this was part of the property tax act for relief on taxes and is a requirement. Commissioner Ross stated the public needs to utilize this exemption and to look at the guidelines.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve Resolution 002-2024 a Resolution to set the 2024 Poverty Exemption Policy and Guidelines. **Roll Call Vote.** Ayes: O'Brien, Roehrig, Ross, Vandenbossche, Bryson, Hendrick, Klaassen. Nays: None. Motion Carried.

Authorization for Reinvestment of Surplus Funds

City Manager Adkins stated based on the previously passed investment policy, the first investment was 90 days due at the end of January and the City was looking to reinvest the funds as there was about a 5% gain.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve the reinvestment of U.S. Treasury Bill #912797JB4 for a period of 90 days from the date of the current maturity of 1-30-2024. **Roll Call Vote.** Ayes: Roehrig, Ross, Vandenbossche, Bryson, Hendrick, Klaassen, O'Brien. Nays: None. Motion Carried.

Approval of 2024-2025 Budget Schedule

Commissioner Hendrick inquired if the Commission still wanted to do the Budget Meeting scheduled for April 18, 2024 before the Commission Meeting as it is normally done the next day after the first budget workshop. City Manager Adkins stated it is possible to have a 5:30 start for that budget workshop if it is needed and it is possible to have another workshop prior to the approval in May. Commissioner Ross stated there was still a week in between to have a meeting before the next Commission meeting.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the 2024-2025 Budget Schedule as presented. All Ayes. Motion Carried.

UNFINISHED BUSINESS

Recreational Marijuana Facilities Update

City Manager Adkins spoke on where the Commission left off with the first reading and discussion involving maps and setbacks and the delay with receiving new maps from the County due to an illness of the individual who creates them. He stated new maps were created with setbacks of 500 feet due to there being no parcels available at 1,000 feet or 750 feet.

Commissioner Hendrick stated while looking at the Alger Street parcels, she believed they were all industrial, but the maps show residential. City Manager Adkins stated that area was residential use so the area was eliminated as indicated in the ordinance of residential use.

Commissioner Ross stated no single parcel exists according to the maps, so he inquired if some of the parcels would need to be divided and if a green zone was possible. City Manager Adkins stated a green zone or the ordinance could indicate lot splits would be needed. He also stated the marijuana facilities ordinance would need to reflect this as well as an amendment to the zoning ordinance to reflect this as well.

Commissioner Klaassen inquired when the setbacks changed to 500 feet. City Manager Adkins stated maps for 1,000 feet and 750 feet did not allow for any properties so it was decreased to 500 feet. Commissioner Klaassen inquired if the maps for 1,000 foot setbacks include properties. City Attorney Davis stated they did not and an ordinance could not be enacted that does not allow property to be used. Commissioner Hendrick stated she did not have a problem with 500 feet. Mayor Vandebossche inquired if the ordinance would need to be amended to reflect the 500 foot setbacks. City Manager Adkins stated the ordinance would need to be amended and brought back for a second reading and adoption.

Commissioner Ross requested clarification on the colors and uses indicated on the map. City Manager Adkins stated the white areas were good, blue areas were Cottrellville residential and red areas were Marine City residential.

Motion by Commissioner Hendrick, seconded by Commissioner O'Brien, to bring back the ordinance for a second reading with 500 foot setbacks for zoned use. **Roll Call Vote.** Ayes: Ross, Vandebossche, Bryson, Hendrick, O'Brien, Roehrig. Nays: Klaassen. Motion Carried.

Vacant Building Ordinance Update/Discussion

City Manager Adkins spoke on the vacant building ordinance and an administrative review to compare with other communities and suggested to set up a working admin committee to review. He also provided a handout outlining other communities and their fees/requirements for vacant buildings.

Commissioner Hendrick stated she did not vote for the ordinance when it was enacted as the fees were too much. She stated some buildings were not vacant even though they're not businesses. City Manager Adkins stated the City did not want buildings to fall into disrepair. City Attorney Davis suggested a provision in the ordinance to exclude buildings that have a use. City Manager Adkins stated it would not be wise to write the ordinance to skirt the business license ordinance.

Commissioner Roehrig believed it was a good idea to include emergency contact information. Commissioner Ross wanted the following items included in a revised ordinance: businesses in transition, transitional time if closing/opening business, revised fee schedule, revise for seasonal components, prorating first year fee, allow use but must demonstrate use, may not display hours if the business is not open, language for hardship and emergency contact required.

NEW BUSINESS

Zoning Board of Appeals Ordinance Update

City Manager Adkins spoke on the Zoning Board of Appeals Ordinance and the structure of the board. He stated the City was missing language regarding alternates and the ordinance states 5 members no alternates. He suggested the ordinance be revised to include 2 alternates. Mayor Vandebossche inquired if City Attorney Davis could provide training again to the Zoning Board of Appeals and City Attorney Davis stated he could.

Approve Street Lighting Contract with DTE Energy

City Manager Adkins spoke on a lighting issue along Ward Street that included dark areas near the school. He stated DTE did an assessment and recommended an amendment to the Master Agreement to add 2 street lights for a cost of \$967.19.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the master agreement for municipal street lighting with DTE including the installation of two street lights for \$967.19. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, O'Brien, Roehrig, Ross, Vandebossche. Nays: None. Motion Carried.

ADMINISTRATIVE REPORTS

City Attorney Report

Commissioner Hendrick inquired when the Commission will receive updates on a few items. City Attorney Davis stated he will provide updates.

City Manager Report

City Manager Adkins thanked everyone for their concerns during his illness. He stated he met with Paul Dingeman for an episode of Focus which will be out next week.

Commissioner Bryson inquired if the business license ordinance and fees could be looked at as well. City Manager Adkins stated it could.

Reports from Department Heads

Commissioner Ross inquired to Chief Slankster if the Fire Department took expired smoke detectors. Chief Slankster stated they did and also provide new smoke detectors.

Clerk Bell spoke on business license fees and an updated fee schedule coming with the budget. He also provided updates on Elections/Early Voting, Granicus Peak Agenda Software and the Charter Review Committee meeting.

COMMISSIONER PRIVILEGE/LIAISON REPORTS

Commissioner Klaassen stated there was no Planning Commission Meeting. He spoke on sidewalk obstructions and them only being allowed during Covid. He also raised an issue with the cemetery and the piling up of clay on top of graves.

Commissioner Bryson spoke on the Charter Review Committee meeting and encouraged citizens to attend and engage in the process.

Commissioner O'Brien thanked the City Clerk and City Manager for their work on the agenda. He spoke on Election season and attending the public accuracy testing for the Election programming and encouraged citizens to participate and educate on issues. He also encouraged the use of pet safe salt on sidewalks and wished everyone to be safe and stay warm.

Commissioner Ross spoke on the Charter Review Committee and inquired if it could still be recorded. City Clerk Bell stated it could be. He stated there was no Historical Commission meeting and the City was waiting on the grant decision. He stated the 300 Broadway Committee meeting was postponed until Monday, January 29th. Eh encouraged everyone to be safe and stated the DPW has done a great job with salting. He also encouraged citizens to contact City Offices for utility assistance.

Commissioner Roehrig encouraged everyone to be safe and give themselves extra time and that she was looking forward to the new meeting software.

Commissioner Hendrick spoke on the sidewalk obstruction issue and that the tables and other items were supposed to be removed for the Winter and believed it was in the resolution. She also spoke on the traffic

lights and crossing issues. She reminded the citizens that the Charter revisions still needed to go to the vote of the people. She stated if anyone needed assistance with anything to utilize “211”. She thanked City Manager Adkins and staff for making progress.

Mayor Vandebossche stated if anyone needed assistance with utility bills to use the tools available. She stated there was a CED Board meeting on January 24th. She mentioned the City Manager and herself were looking at some SEMCOG events that were beneficial to the City and to look for the Focus segment on channel 6. Mayor Vandebossche stated if anyone needed agenda packets to see City Offices and they would print one. She encouraged everyone to be safe and Go Lions!

ADJOURNMENT

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to adjourn at 8:44p.m. All Ayes. Motion Carried.

Respectfully submitted,

Jason A.Bell
City Clerk

**City of Marine City
Tax Increment Finance Authority
October 17, 2023**

A regular meeting of the TIFA Board was held at 260 South Parker, Marine City, Michigan, on Tuesday, October 17, 2023 and was called to order by Chairperson May at 4:02 PM.

The Pledge of Allegiance was lead by Chairperson May.

Present: Chairperson Craig May; Board Members, Rebecca Bryson, Kim Turner, Robert Weisenbaugh.

Absent: Board Members Gabe Costanzo and Scott Tisdale.

Motion by Board Member Weisenbaugh, seconded by Board Member May, to excuse Board Members Costanzo and Tisdale from the meeting. All Ayes. Motion Carried.

APPROVE AGENDA

Motion by Member Bryson, seconded by Member Weisenbaugh, to approve the agenda. All Ayes. Motion Carried.

APPROVE MINUTES

Motion by Chairperson May, seconded by Member Weisenbaugh, to approve the TIFA Board Minutes of October 18, 2022. All Ayes. Motion Carried.

Motion by Member Weisenbaugh, seconded by Member Bryson, to approve the TIFA Board Minutes of January 17, 2023. All Ayes. Motion Carried.

Motion by Member Bryson, seconded by Member Turner, to approve the TIFA Board Minutes of April 11, 2023. All Ayes. Motion Carried.

Motion by Member Turner, seconded by Chairperson May, to approve the TIFA Board Minutes of July 18, 2023. All Ayes. Motion Carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Member Weisenbaugh inquired if the board could get a list of grant seminars available as well as grants so the board could work on those. City Manager Adkins stated he would

put together a list of seminars through SEMCOG and MSU Extension and provide that as well as a list of current available grants and present it to the board.

ADJOURNMENT

Motion by Member Weisenbaugh, seconded by Member Bryson, to adjourn at 4:19 PM. All Ayes. Motion Carried.

Respectfully submitted,

Jason A. Bell
City Clerk

**City of Marine City
Pension Board – Pension Plan Minutes
October 24, 2023**

A regular meeting of the Pension Board – Pension Plan held on Tuesday, October 24, 2023 and was called to order by Chairperson Ross at 4:30 pm.

Present: Chairperson Cheryl Ross; City Commissioner Elizabeth Hendrick; Board Members Jim VanderMeulen, Robert Klieman; City Clerk Jason Bell.

Also in Attendance: Financial Consultant John Firek.

Absent: City Manager Scott Adkins

Motion by Chairperson Ross, seconded by Commissioner Hendrick, to excuse City Manager Adkins from the meeting. All Ayes. Motion Carried.

Communications

None

Approve Agenda

Motion by Commissioner Hendrick, seconded by Member VanderMeulen, to approve the Agenda. All Ayes. Motion Carried.

Public Comment

None.

Approve Minutes

Motion by Commissioner Hendrick, seconded by Member VanderMeulen, to approve the minutes of the Regular Pension Board – Pension Plan Meeting of July 25, 2023. All Ayes. Motion Carried.

Unfinished Business

None.

New Business

Retired Retirement System Election Results

Clerk Bell provided the results of the retired retirement system election results for a term to begin on January 1, 2024. He stated the ballots were opened and Mary Ellen McDonald

received 15 votes and Jack Dragmiller received 2 votes. Mary Ellen McDonald will serve as the retired retirement system board member and Jack Dragmiller will serve as the alternate.

Financial Business

Portfolio Allocation

Financial Consultant, John Firek, reviewed portfolio allocations.

- Sector-Weighted Stocks – 20% of Portfolio
- Dividend Stocks – 15% of Portfolio
- International Stocks – 10% of Portfolio
- Bonds – 30% of Portfolio
- Tactical & Alternative Investments – 24% of Portfolio
- Cash – 1% of Portfolio

Investment Performance - Review by John Firek

Financial Consultant, John Firek, conducted the Portfolio Review for the Pension Plan and summarized that the bond market took the worst hit in history recently and stated not to trim anymore from the bonds.

- Total Pension Plan market value was \$5,025,836.51
- Total withdrawal amount was \$340,225
- Pension Plan Holdings year-to-date annualized performance was 1.53%
- Portfolio consisted of:
 - 3.07% Cash & Cash Alternatives
 - 30.94% Fixed Income
 - 54.76% Equity
 - 11.02% Alternative Investments
 - 0.20% Non-Classified

Discuss Recommended Changes to Portfolio

Mr. Firek stated that he was recommending a change in allocations from the sector weighted strategy to a shorter strategy comprised of Raymond James and Vanguard ETF strategy (50% core equity; 5% satellite equity; 15% alternative investments; and 30% bonds/cash). He also suggested to keep \$125,000 liquid and invest incoming cash (approx.. \$98,000) in stocks.

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to rebalance to new strategy as presented, keep \$125,000 liquid and invest incoming cash in stocks. **Roll Call Vote.** Ayes: Hendrick, Klieman, Ross, VanderMeulen. Nays: None. Motion Carried.

Mr. Firek stated the investment strategy policy agreement also needed to be updated and signed to reflect 5%-10% in gold and international drop to 8%.

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to update the investment policy statement as presented. **Roll Call Vote.** Ayes: Klieman, Ross, VanderMeulen, Hendrick. Nays: None. Motion Carried.

Adjournment

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to adjourn at 5:12 pm. All Ayes. Motion Carried.

Respectfully submitted,

Jason A. Bell
City Clerk

**City of Marine City
Pension Board –Retiree Healthcare Minutes
October 24, 2023**

A regular meeting of the Pension Board – Pension Plan held on Tuesday, October 24, 2023 and was called to order by Chairperson Ross at 5:12 pm.

Present: Chairperson Cheryl Ross; City Commissioner Elizabeth Hendrick; Board Members Jim VanderMeulen, Robert Klieman; City Clerk Jason Bell.

Also in Attendance: Financial Consultant John Firek.

Absent: City Manager Scott Adkins

Motion by Chairperson Ross, seconded by Commissioner Hendrick, to excuse City Manager Adkins from the meeting. All Ayes. Motion Carried.

Communications

None

Approve Agenda

Motion by Commissioner Hendrick, seconded by Member VanderMeulen, to approve the Agenda. All Ayes. Motion Carried.

Public Comment

None.

Approve Minutes

Motion by Commissioner Hendrick, seconded by Member VanderMeulen, to approve the minutes of the Regular Pension Board – Retiree Healthcare Meeting of July 25, 2023. All Ayes. Motion Carried.

Unfinished Business

None.

New Business

Financial Business

Portfolio Allocation

Financial Consultant, John Firek, reviewed portfolio allocations.

- Sector-Weighted Stocks – 20% of Portfolio
- Dividend Stocks – 15% of Portfolio
- International Stocks – 10% of Portfolio
- Bonds – 30% of Portfolio
- Tactical & Alternative Investments – 24% of Portfolio
- Cash – 1% of Portfolio

Investment Performance - Review by John Firek

Financial Consultant, John Firek, conducted the Portfolio Review for the Pension Plan and summarized that the bond market took the worst hit in history recently and stated not to trim anymore from the bonds.

- Total Pension Plan market value was \$329,286.52
- Total withdrawal amount was \$13,108
- Pension Plan Holdings year-to-date annualized performance was 0.58%
- Portfolio consisted of:
 - 10.55% Cash & Cash Alternatives
 - 20.84% Fixed Income
 - 57.38% Equity
 - 11.05% Alternative Investments
 - 0.18% Non-Classified

Discuss Recommended Changes to Portfolio

Mr. Firek stated that he was recommending a change in allocations from the sector weighted strategy to a shorter strategy comprised of Raymond James and Vanguard ETF strategy (50% core equity; 5% satellite equity; 15% alternative investments; and 30% bonds/cash). He also suggested to filter out \$35,000 cash to invest in a brokerage account (no fees).

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to rebalance to new strategy as presented, transfer \$35,000 in funds to brokerage account and invest the remainder of cash. **Roll Call Vote.** Ayes: Hendrick, Klieman, Ross, VanderMeulen. Nays: None. Motion Carried.

Mr. Firek stated the investment strategy policy agreement also needed to be updated and signed to reflect 5%-10% in gold and international drop to 8%.

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to update the investment policy statement as presented. **Roll Call Vote.** Ayes: Klieman, Ross, VanderMeulen, Hendrick. Nays: None. Motion Carried.

Adjournment

Motion by Commissioner Hendrick, seconded by Board Member VanderMeulen, to adjourn at 5:19 pm. All Ayes. Motion Carried.

Respectfully submitted,

Jason A. Bell
City Clerk



State of Michigan
 Michigan Gaming Control Board
 Millionaire Party Licensing
 3062 W. Grand Blvd, Suite L-700
 Detroit, MI 48202-6062
 Phone: (313) 456-4940
 Fax: (313) 456-3405
 Email: Millionaireparty@michigan.gov
 www.michigan.gov/mgcb

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103(k)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a nonprofit
COUNTY

organization operating in the community, for the purpose of obtaining charitable gaming licenses, be
 considered for _____
APPROVAL/DISAPPROVAL

<p><u>APPROVAL:</u> Yeas: _____</p> <p>Nays: _____</p> <p>Absent: _____</p>	<p><u>DISAPPROVAL:</u> Yeas: _____</p> <p>Nays: _____</p> <p>Absent: _____</p>
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I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted
 by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL
 meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

Organization Information: _____
ORGANIZATION'S MAILING ADDRESS, STREET, CITY, ZIP
 _____ () _____
ORGANIZATION'S PRINCIPAL OFFICER NAME AND TITLE PHONE NUMBER



AGENDA MEMO

TO: City Commission and City Manager
FROM: Treasurer's Office
SUBJECT: Expenditures (including payroll) – \$219,796.85

BACKGROUND INFORMATION:

Listed below is the breakdown for total invoices and payroll:

Accounts Payable

Disbursements:

01/17/24	\$71,057.36
01/24/24	\$41,537.99

Payroll

Active:

01/18/24	\$57,061.24
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Retiree:

02/01/24	\$50,140.26
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Expenditure Total: \$219,796.85

ORIGINATING DEPARTMENT: Finance

BUDGETED ITEM:

REVIEWED BY:

STAFF RECOMMENDATION

PRESENTED BY:

RECOMMENDED ACTION(s) To approve disbursements including payroll in the amount of \$219,796.85.

DATE APPROVED FOR AGENDA:

ATTACHMENTS:

[Check Register 01.11.24-01.24.24.pdf](#)

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank FTB FIFTH THIRD BANK					
01/17/2024	FTB	970 (E)	C252	COMCAST	828.89
01/17/2024	FTB	971 (E)	D008	DTE ENERGY	9,460.02
01/17/2024	FTB	972 (E)	TOS999	TOSHIBA FINANCIAL SERVICES	367.67
01/17/2024	FTB	19502	A110	AMAZON BUSINESS	76.22
01/17/2024	FTB	19503	A168	AMERICAN LEGAL PUBLISHING CORP	449.25
01/17/2024	FTB	19504	B170	BLUE CARE NETWORK	9,825.53
01/17/2024	FTB	19505	C260	CITY OF MARINE CITY-CASH	250.00
01/17/2024	FTB	19506	DD1	DANIEL DUPONT	200.00
01/17/2024	FTB	19507	D01	DOE	2,050.00
01/17/2024	FTB	19508	D050	DYCK SECURITY SERVICES	109.00
01/17/2024	FTB	19509	E086	EMTERRA ENVIRONMENTAL USA CORP	26,482.84
01/17/2024	FTB	19510	V024	FLAGSHIP-VISA	1,446.71
01/17/2024	FTB	19511	KT01	KAPPEN TREE SERVICE LLC	12,000.00
01/17/2024	FTB	19512	TAXREFUND	MCPHERSON JACK	2,367.00
01/17/2024	FTB	19513	O002	OCCUPATIONAL HEALTH CTRS OF MICH PC	279.00
01/17/2024	FTB	19514	S997	SMART SOURCE LLC MICHIGAN DIVISION	67.98
01/17/2024	FTB	19515	TK16	T-K INSPECTIONS LLC	3,642.00
01/17/2024	FTB	19516	T125	TK & ASSOCIATES LLC	720.00
01/17/2024	FTB	19517	U029	USA BLUEBOOK	357.00
01/17/2024	FTB	19518	V022	VESCO OIL CORP	78.25
01/24/2024	FTB	973 (E)	C252	COMCAST	343.49
01/24/2024	FTB	974 (E)	D008	DTE ENERGY	7,751.50
01/24/2024	FTB	975 (E)	T997	THE STANDARD - LIFE INSURANCE	246.21
01/24/2024	FTB	19519	A110	AMAZON BUSINESS	910.64
01/24/2024	FTB	19520	B001	BADGER METER INC	2,881.80
01/24/2024	FTB	19521	B005	BELL EQUIPMENT CO	780.00
01/24/2024	FTB	19522	B015	BLUE CROSS-BLUE SHIELD OF MICH	10,184.16
01/24/2024	FTB	19523	B128	BS & A SOFTWARE	6,255.00
01/24/2024	FTB	19524	D050	DYCK SECURITY SERVICES	25.00
01/24/2024	FTB	19525	E005	ENVIRONMENTAL CONSULTING & TECH INC	1,000.00
01/24/2024	FTB	19526	M008	MCBRIDE, MANLEY & COMPANY PC	3,750.00
01/24/2024	FTB	19527	TAXREFUND	NATIONASTAR MTG LLC DBA MR. COO	65.00
01/24/2024	FTB	19528	O004	OAKLAND COUNTY	2,027.75
01/24/2024	FTB	19529	Q100	QUADIENT FINANCE USA, INC.	4,020.00
01/24/2024	FTB	19530	Q101	QUADIENT LEASING USA, INC.	818.67
01/24/2024	FTB	19531	S080	SLC METER LLC	312.37
01/24/2024	FTB	19532	U029	USA BLUEBOOK	166.40

FTB TOTALS:

Total of 37 Checks:	112,595.35
Less 0 Void Checks:	0.00
Total of 37 Disbursements:	112,595.35



AGENDA MEMO

TO: Mayor & City Commission
FROM: Treasurer/Finance Department
SUBJECT: Expenditures (Safe Drinking Water Project) - \$175,700.00

BACKGROUND INFORMATION: Invoice for civil design engineering from Fleis & Vandenbrink for professional services rendered for period of November 26, 2023 to December 30, 2023, in the amount of \$175,700, related to the Drinking Water State Revolving Fund (DWSRF) project.

ORIGINATING DEPARTMENT: Finance

BUDGETED ITEM: No

REVIEWED BY:

**STAFF RECOMMENDATION
PRESENTED BY:**

RECOMMENDED ACTION(s) Approve

DATE APPROVED FOR AGENDA: January 23, 2024

ATTACHMENTS:
[DWSRF - FV Engineering Invoice.pdf](#)



RECEIVED

Please remit payment to:
 Fleis & VandenBrink
 2960 Lucerne Dr SE
 Grand Rapids, MI 49546

JAN 16 2024

Invoice City of Marine City

Scott Adkins
 City Manager
 City of Marine City
 260 South Parker Street
 Marine City, MI 48039

January 12, 2024
 Project No: 864260
 Invoice No: 68282

Project 864260 Marine City -DWSRF FY24 Civil Design Eng
For professional services rendered for the period November 26, 2023 to December 30, 2023

Billing Phase	Fee	% Work Complete	Amount Billing	Previous Billing	Current Billing
Preliminary and Final Civil Design Engin	1,760,526.95	8.6906	153,000.00	0.00	153,000.00
Civil Construction Engineering	1,588,665.16	0.00	0.00	0.00	0.00
Process & Structural Design Engineering	285,688.00	7.9457	22,700.00	0.00	22,700.00
Process & Structural Const. Engineering	265,000.00	0.00	0.00	0.00	0.00
Total Fee	3,899,880.11		175,700.00	0.00	175,700.00
			Total Fee		175,700.00
				Total this Invoice	\$175,700.00

Thank you for your business, it is sincerely appreciated.
 If there are any questions regarding this invoice or the services provided, please contact us at FVEAccountant@fveng.com.

Terms: Net 15 days



AGENDA MEMO

TO: Mayor Vandebossche and Honorable Commissioners

FROM: Chief Heaslip

SUBJECT: Police Department - Body Camera Waiver

BACKGROUND INFORMATION: Body Camera Waiver Getac

ORIGINATING DEPARTMENT: Police

BUDGETED ITEM: No

REVIEWED BY:

STAFF RECOMMENDATION

PRESENTED BY: Chief

RECOMMENDED ACTION(s) Approve

DATE APPROVED FOR AGENDA:

ATTACHMENTS:

[Waiver of competitive bid Getac 24.pdf](#)

[BC4KSpec2023.pdf](#)

[MarineCity8BC4-5Year.pdf](#)



Marine City Police Department

James D. Heaslip
Chief of Police

375 S. Parker Street ● Marine City, Michigan 48039
(810) 765-4040 ● Fax (810) 765-4135

January 23, 2024

Dear Honorable Commissioners and Mayor Vandebossche:

In the beginning of 2019, the Marine City Police Department acquired our current GETAC cameras (body and in-car). The body cameras now have older technology and are no longer lasting a 12-hour shift. A previous request was brought before this board months ago for AXON however that project was abruptly halted. Further details of this will be given to you at the meeting.

I reached out to GETAC and obtained a quote for newer body cameras (attached). This quote includes 5 years of storage and a camera refresh at the 25th month. Total cost is \$24,445 of which I have \$14,250 from donation (County Commissioner Dave Vandebossche). I will need **\$10,195** to complete this project.

I am requesting a waiver of competitive bidding and if approved, I am then asking for approval to move forward with purchasing GETAC cameras.

Any questions or concerns, please let me know.

Respectfully Submitted,

James D. Heaslip
Chief of Police



BC-4K BODY-WORN CAMERA

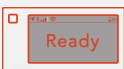


The latest Getac Body Worn Camera delivers spectacular 4K Ultra HD video, even in low-light conditions.



ULTRA-WIDE, ZERODARK™4K

158° diagonal view with 4K Ultra HD resolution and HDR, captures sharp video, even at night in low light conditions.



OLED DISPLAY

Built-in OLED display is easy to read and provides important information to the operator at a quick glance. Turn it off in covert mode to avoid distractions.



CELLULAR CAPABLE

BC-4K supports AT&T, Verizon, and other worldwide cellular networks for real-time location and live streaming. Don't need another cell plan? A Wi-Fi only model is also available.



EASY IN-FIELD TAGGING

Use the convenient and intuitive category wheel to save time after each incident and ensure maximum retention. View videos on the mobile app without downloading or breaking chain of custody.



IN-CAR INTEGRATED

Pair the BC-4K with Getac in-car video to eliminate the need for a wireless microphone and range issues. Playback audio from both systems together to see and hear all the action as it happened.



SEE THE ACTION LIVE

Live stream anytime and maintain maximum situational awareness. Watch multiple users together or along with in-car video systems to see all the angles.

ACCESSORIES & SPECIFICATIONS

TRIGGER BOX



Wireless start/stop recording



8-Port Multi-Dock (MD-04)



Single Dock (VD-04)



Magnetic Breakaway Cable

FLEXIBLE MOUNTING SOLUTIONS



Magnetic Mount



Alligator Clip



Molle Mount



Pocket Mount



Swivel Mount



Double Magnetic Mount



Action Camera Mount



Universal Mount

MODEL

BC-4K

VIDEO OUTPUT FORMAT

.MP4 (H.264/H.265)

VIDEO OUTPUT RESOLUTION

3600x2024 (UHD), 2560x1440 (2K), 1920x1080 (FHD), 1280x720 (HD)

VIDEO OUTPUT FRAME RATE

30 fps

FOV (field of view)

158°

STORAGE

128GB

RECORDING / PRE BUFFER RECORDING TIME

Up to 12 hours @ 720p. LTE & UHD reduce battery life.

WATERMARK

Supports Date/Time/Officer ID stamp overlay on video footage

PRE-RECORD

Supports 10, 20, 30, 60 seconds

BUTTONS

Power, Main, Category Wheel, Covert Switch

I/O INTERFACE

USB Type-C, Ethernet Docking, Bluetooth Trigger Box

CONNECTIVITY INTERFACE

WiFi 802.11 A/B/G/N/AC, Bluetooth 5.0

ADDITIONAL FEATURES

GPS, 4G LTE (optional), Covert Mode, Privacy Mode, Category Wheel, Live Stream

POWER

4900 mAh; Magnetic Charging Cable (Optional)

RUGGED FEATURES

MIL-STD-810G (Vibration & 6 feet drop resistant), IP67

OPERATING TEMP while worn by user

-4°F to 122°F (-20°C to 50°C); Storage Temp: -40°F to 122°F (-40°C to 160°C)

DIMENSIONS (W x D x H) AND WEIGHT

2.58" x 1" x 3.78" (65.6mm x 25.4mm x 96mm); 8.11oz (180g)

WARRANTY

1 Year limited warranty*

Getac USA

15495 Sand Canyon Rd., Suite 350

Irvine, CA 92618

www.getac.com | 949-681-2900

Copyright © 2023 Getac Technology Corporation and/or any of its affiliates. All Rights Reserved. Information provided is for reference only, available specification shall be subjected to quotation by request.

*For warranty terms and conditions visit www.getac.com

**Battery performance will vary based on power management settings, video resolution and environmental conditions. As with all batteries, maximum capacity decreases with time and use and may eventually need to be replaced by a Getac service provider. Battery life and charge cycles vary by use and settings.



QUOTE

Midwest Public Safety
C/O US Bank N.A.
TFM P.O. Box 860573
Minneapolis, Minnesota 55486-0573
United States

2178550082
midwestpublicsafetygroup.org

BILL TO
Marine City Police Dept
James Heaslip

810-765-4481
JHeaslip@marinecity-mi.org

SHIP TO
Marine City Police Dept
375 S. Parker St.
Marine City, Michigan 48039
United States

Estimate Number: 1166
Estimate Date: November 29, 2023
Valid Until: January 5, 2024

Estimate Total (USD): **\$24,445.00**

Products	Quantity	Unit Price	Extended Price
OVWX4XXXXXX1 BWC (BC-04-4K) - 128GB + UHD/FHD/HD/WVGA+ WiFi + GPS + BLE , 1 year hardware warranty	8	\$565.00	\$4,520.00
OD4DEU Body Worn Camera (BC-04) - 8 Port Multidock with Datamover (MD-04D), includes 150W AC Adapter (US), 25th month device refresh option program, full upf	1	\$1,325.00	\$1,325.00
GE-SVBKEXT2Y BC-04 Extended Warranty Year 2&3 - Getac, BC- 4K, Extended Warranty, 2, Year	8	\$165.00	\$1,320.00
GE-SVMKEXT4Y MD-04D Multi-Dock Extended Warranty - Year 2,3,4&5 - Getac, MD-04D, Extended Warranty, 4, Year	1	\$250.00	\$250.00
OUA021 GETAC VIDEO SOLUTIONS INC. : Getac Cloud - Yearly Plan 2 (Cloud 30G/Month, SW maintenance)	480	\$29.00	\$13,920.00
GVS-OUA07X GETAC VIDEO SOLUTIONS INC. : Getac Cloud - Video License and Maintenance (Per DATA MOVER Software device) Per Month	60	\$11.00	\$660.00
OZX01X GETAC VIDEO SOLUTIONS INC. : GETAC VIDEO SOLUTION ON-SITE CONSULTING	1	\$2,450.00	\$2,450.00



QUOTE

Midwest Public Safety

C/O US Bank N.A.
TFM P.O. Box 860573
Minneapolis, Minnesota 55486-0573
United States

2178550082
midwestpublicsafetygroup.org

Subtotal:	\$24,445.00
<hr/>	
Total:	\$24,445.00
<hr/>	
Estimate Total (USD):	\$24,445.00

Notes / Terms

Midwest Public Safety
2665 Harryland Rd.
Decatur, IL 62521

www.midwestpublicsafetygroup.org
217-855-0082

Accepted by: _____
Accepted Date: _____

DRAFT ORDINANCE – FOR SECOND READING
(February 1, 2024)

THE CITY OF MARINE CITY ORDAINS:

SECTION _____ • ADULT USE MARIJUANA FACILITIES

An ordinance to license, site plan and regulate certain adult use marijuana facilities in the City of Marine City.

Adult use marijuana facilities shall conform to and be subject to the provisions of this ordinance, including an application process and a site plan review.

A. Definitions. As used in this ordinance, the following definitions shall apply to adult use marijuana facilities. To the extent applicable, the definitions are intended to comply with the definitions at MCL 333.27953 and all of its amendments.

1. **Applicant:** Any individual, organization, entity, or association, including any corporation, partnership, limited liability company, or any other lawfully established business, that applies for a License under this ordinance.
2. **Department:** The State of Michigan Department of Licensing and Regulatory Affairs, including any successor entity.
3. **License:** A license to operate a marijuana facility in the City of Marine City under this ordinance.
4. **Marijuana:** All parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marijuana concentrate and marijuana-infused products. For purposes of this ordinance, marijuana does not include:
 - a. the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination;
 - b. Industrial hemp; or
 - c. any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

For the purposes of this ordinance, the spelling of the above defined term shall be ‘marijuana’ and should be deemed to be the equivalent to and referencing the term that is

spelled ‘marihuana’ by the Department and within the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended, at Section 3(e).

5. **Marijuana Accessories:** Any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.
6. **Marijuana Facility:** Any type of marijuana-related business licensed by the Department as authorized by the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, as amended.
7. **Marijuana Retailer:** A facility operated by a State Licensee where the sale or otherwise transference of marijuana, marijuana-infused products or marijuana accessories to individuals who are 21 years of age or older takes place.
8. **Marijuana Safety Compliance Facility:** A facility operated by a State Licensee where the testing of marijuana for the certification of potency and the presence of contaminants takes place.
9. **Marijuana Secure Transporter:** A person licensed to obtain marijuana from marijuana establishments in order to transport marijuana to marijuana establishments.
10. **State Licensee:** Any individual, corporation, limited liability company, partnership of any type, trust or other legal entity that has been issued a license by the Department that allows for the operation of a marijuana facility at any location otherwise permitted under this ordinance.

B. Permitted and Prohibited Facilities.

1. **Conflicts of Law.** As of the effective date of this ordinance, marijuana remains classified as a Schedule 1 controlled substance under the Federal Controlled Substances Act, 21 USC S801, et. seq. which makes it unlawful, under federal law, to manufacture, distribute or dispense marijuana. Nothing in this ordinance creates or grants immunity to any person or entity from criminal prosecution under any applicable federal law and any entity receiving a license under this ordinance shall defend, indemnify and hold the City of Marine City harmless against any claims, suits or demands relating to federal law enforcement actions accordingly.
2. **Permitted Facilities.** Only the following listed marijuana facilities shall be allowed to be located within the City of Marine City under this ordinance:
 - a. Marijuana Retailer
 - b. Safety Compliance

c. Secure Transporter

No person or entity shall establish or operate any adult use marijuana facility in the City of Marine City without first complying with this ordinance, the City of Marine City application and site plan review processes and without first complying with any and all applicable state laws and regulations, including all amendments to the applicable state laws and state regulations. This shall specifically include all approvals required to be obtained from the Department and any other authorized State Agency having the authority and the purpose to regulate any adult use marijuana facility in Michigan.

3. **Permitted Shared Facilities.** Any licensed marijuana facility under this ordinance may be allowed to operate in the same building housing another licensed marijuana facility provided it is constructed and operated in compliance with all State and City of Marine City requirements for the shared use of marijuana facilities. Marijuana facilities may be allowed to occupy more than one building on the same parcel provided the facility and buildings are operated in compliance with all State and City of Marine City requirements, including all zoning ordinances and site plan requirements.

4. **Prohibited Facilities.**

a. **Home Occupations and Accessory Use Prohibited.** A marijuana facility, or activities associated with the marijuana facility, shall not be permitted as a home occupation or an accessory use.

b. **Other Marijuana Facilities Prohibited.** Any marijuana facility or event not specifically listed as a permitted facility in Section 2 herein shall be prohibited within the City of Marine City.

C. Location Permitted. Marijuana facilities are permitted to be located, as a permitted use, subject to the terms of this ordinance and subject to all applicable State laws and regulations, within the City of Marine City as set forth below and shall adhere to the following permitted location requirements:

1. **Set Backs.** These set backs are mandatory, shall be affirmatively presented on the Site Plan and are not subject to modification or deviation by a Dimensional Variance process or by any City of Marine City Board or Commission.

a. 500 feet from the nearest boundary of any designated Residential Zoning District.

b. 500 feet from the nearest lot line of any residential home structure.

c. 500 feet from the nearest lot line of any church structure.

- d. 500 feet from the nearest lot line of any licensed alcohol or drug Rehabilitation Center.
- e. 500 feet from the nearest lot line of any child care center or licensed day care facility licensed by the State of Michigan Department of Licensing and Regulatory Affairs, including any successor entity.
- f. 500 feet from the nearest lot line of any preschool program center, primary, intermediate or secondary school, or like facility, established pursuant to and in accordance with the Revised School Code, P.A. 451 of 1976, being M.C.L.A. §§ 380.1 through 380.1853, as amended, and/or the State School Aid Act of 1979, P.A. 94 of 1979, being M.C.L.A. §§ 388.1601 through 388.1772, as amended.

2. Permitted Districts.

- a. **I-1 Industrial District:** All marijuana facilities otherwise permitted at Section B in this ordinance and otherwise meeting the setbacks set forth herein shall be allowed as a permitted use only on parcels in the City of Marine City that are otherwise fully located in an Industrial Zoning District under the then current City of Marine City Zoning Ordinance.

D. General Use Requirements For All Marijuana Facilities. All general use requirements shall be and are part of the required site plan review and approval process, including the following:

- 1. **Hours of Operation.** Any marijuana facility shall provide the City of Marine City administration and Chief of Police with the hours of operation of the facility. Any changes to the hours of operation must be communicated forty-eight (48) hours in advance of the change. Marijuana retailers shall only be open from 9:00 a.m. to 9:00 p.m. with no modifications allowed.
- 2. **Odor Control.** Any marijuana facility shall be equipped with an operable filtration, ventilation, and exhaust system that, at all times, effectively confines any and all odors to the interior of the building from which the odor is generated.

No marijuana at any facility shall be managed in any manner that emits odors beyond the interior of the premises or which is otherwise discernable to another person. The odor shall be prevented by the installation of an operable odor control system. Odors shall be effectively confined to the interior of the location in which the odor is generated.

Venting of marijuana odors into the areas surrounding the location is deemed and declared to be a public nuisance for all legal purposes.

- 3. **Waste Water.** Any marijuana facility shall be designed and operated so as to minimize the amount of pesticides, fertilizers, nutrients, marijuana, and any other potential contaminants

discharged into the public wastewater and/or stormwater systems as shall be determined by the City of Marine City Engineer during the site plan process.

4. **Security Requirements.** Any marijuana facility shall have an adequate security plan to prevent access to marijuana by non-authorized personnel, including unauthorized removal of any marijuana. All rooms that contain marijuana, in any form, shall be individually locked and accessible only to authorized personnel. The building(s) housing the marijuana facility shall all be equipped with security cameras approved by the Chief of Police, maintained in operational order, and installed in such a way as to monitor the entire perimeter of the building(s) including all parking lots and areas accessible by individuals and capable of recording and storing both on and off site a minimum of 120 continuous hours of the perimeter monitoring. The security cameras shall be in operation 24 hours a day, seven days a week, and shall be set to maintain the record of the prior 120 hours of continuous operation. The Chief of Police may require review and recommendation of a proposed security plan by an independent consultant with credentialed expertise in the field of site/facility security measures. The cost of an independent review by an independent security consultant shall be paid directly and in full by the applicant. The security plan shall describe how cash will be handled and deposited, including a plan to minimize the cash on hand at the marijuana facilities and to provide for a method of secure pick up and transportation of cash.
5. **Indoor Activity Only.** Any marijuana facility activities including, but not limited to, operations, cultivation, processing, storage, and transactions, shall be conducted within an enclosed structure. All outdoor storage is prohibited. A greenhouse shall not be considered an enclosed structure or an indoor structure for purposes of this ordinance.
6. **Lighting.** Any artificial lighting shall be shielded to prevent glare and light trespass and shall not be visible from neighboring properties, adjacent streets or public right of ways.
7. **Inspections.** Any marijuana facility shall be subject to inspections to ensure compliance with all applicable City of Marine City codes and ordinances and all applicable State laws and regulations, including all future amendments. Any marijuana facility under this ordinance shall comply with all local permitting and inspection processes.
8. **Prohibited Activities.** No smoking, inhalation, or consumption of marijuana shall take place on the premises of any marijuana facility.
9. **Unlawful Activities.** Any uses or activities found by the State of Michigan or a court of competent jurisdiction to be unconstitutional or otherwise unlawful by State law shall not be permitted by the City of Marine City.
10. **General Restrictions.** All activities shall be conducted so as to not create or permit trespass or spillage of dust, glare, sounds, noise, vibrating, fumes, odors or light to any neighboring property, street or public right of way.

11. **No Temporary Certificate of Occupancy.** No marijuana facility under this ordinance may operate under a temporary certificate of occupancy. Each licensed facility must be in full and complete compliance in order to operate.
12. **Transfers of License.** A Marijuana facility license issued under this ordinance is not transferable or assignable under any circumstances.

E. Application Submittal Requirements for a License.

The following items shall be required at the time an applicant makes an application for a license under this ordinance. If any item is not included at the time of the application, the entire application shall not be accepted for review by the City of Marine City.

1. **Application Form.** A signed and dated application form to be provided by the City of Marine City. If the applicant does not own the property, a signed and notarized statement granting permission from the lawful owner to submit an application shall be included with the application.
2. **Preliminary State License Approval.** A letter from the Marijuana Regulatory Agency of the State of Michigan (or any designated successor) granting preliminary state license approval for the applicant to operate a marijuana facility that the applicant is requesting for approval within the City of Marine City. The burden to obtain any and all State approvals shall be on the applicant.
3. **Site Plan.** A fully completed site plan including all information required in the City of Marine City zoning ordinance and all general use requirements set forth in this ordinance. The site plan shall be reviewed and approved consistent with the procedures set forth in the City of Marine City Zoning Ordinance.
4. **Use Statement.** A written statement by the applicant identifying all activities, operations, products and services to be provided by the marijuana facility.
5. **Hours of Operation.** A written statement identifying the marijuana facilities' proposed hours of operation.
6. **Odor Control Plan.** An odor control plan consistent with the requirements of this ordinance and any applicable State laws and regulations.
7. **Waste Water Control Plan.** A waste water control plan consistent with the requirements of this ordinance and any applicable State laws and regulations.
8. **Security Plan.** A security plan consistent with the requirements of this ordinance and any applicable State laws and regulations.
9. **Lighting Plan.** A Lighting plan consistent with the requirements of this ordinance and any applicable State laws and regulations.

10. **Liability Release and Insurance Documentation.** An executed release of liability, indemnification and hold harmless in the form provided by the City of Marine City's application and proof of insurance providing general liability coverage for loss, liability and damage claims arising out of injury to persons or property in the amounts and the format set forth in the application process.
11. **Notarized Acknowledgement of Operational Requirements.** As part of the application form, the applicant shall submit a signed and notarized statement by all individuals receiving pre-approval to operate the marijuana facility that applicant(s) are aware of the terms of this ordinance, including the site plan requirements.

F. Application Consideration.

A completed application for a license shall be reviewed for completeness. There shall be no other review policy or guideline under this ordinance.

1. **Application Fee.** The applicant, with the application, shall pay a fee of \$5,000.00 per license type to defray the administrative and enforcement costs associated with the operation of the marijuana facility.
2. **Renewals.** Each license issued under this ordinance must be renewed annually with a renewal fee of \$5,000.00 per license on a renewal form to be provided by the City of Marine City. This fee is to defray administrative and enforcement costs.
3. **No Property Right.** A City of Marine City license for a marijuana facility is a revocable privilege granted by the City of Marine City and is not a property right. Granting a license under this ordinance does not create or vest any right, title, franchise, privilege or other property interest. No licensee or any other person shall lease, pledge, or borrow or loan money against a license.
4. **Inspection Fee.** Each marijuana facility established under this ordinance may, at the sole discretion of the City of Marine City, be inspected by the City of Marine City at any time to ensure compliance. The City of Marine City reserves the right to establish any appropriate inspection fee in accordance with the City of Marine City schedule of fees process.

G. Adverse License Actions.

The City of Marine City Manager may suspend, revoke, or place in non-renewal status any License granted under this ordinance based on the following:

1. Any fraud or misrepresentation contained in the application or any renewal process.
2. Any violation of this ordinance or any State Marijuana Law, regulation or rule.

3. The marijuana business operates in an unlawful manner or in such a way as to constitute a public nuisance or to adversely affect the health, safety, or general welfare of the public.
4. The revocation, suspension, nonrenewal, and placement of restrictions by the department or any other authorized state agency on a State license applies equally to the corresponding license issued by the City of Marine City.

If a license is not renewed or is suspended or revoked, the licensee must immediately cease all operations at the marijuana facility regardless of its location on a permitted parcel and regardless of its status as a permitted use.

Nothing in this section prohibits the City of Marine City from imposing other penalties authorized in the City of Marine City Codes and Ordinances, including filing a public nuisance action or any other legal action in a court of competent jurisdiction.

H. Due Process. For a violation that impacts health or safety of customers, employees, or the public, the City of Marine City Manager may temporarily suspend a license without a hearing but only until such time as a hearing can be reasonably scheduled and held.

The City of Marine City shall send notice to the licensee listing the reason for the adverse license proceeding. The notice shall list a proposed action and proposed conditions for reinstatement, if applicable.

The licensee shall have 10 business days from the date the notice was sent to respond in writing and request a hearing. If the licensee does not reply within the 10-day period, then the proposed adverse action and any proposed conditions will be considered the final and binding recommendation of the City of Marine City Manager. The licensee may appeal a recommended adverse action issued under this subsection to the City of Marine City Planning Commission. The Planning Commission's review shall be limited to the information possessed by the City of Marine City Manager at the time the recommendation was issued.

The City of Marine City Planning Commission shall, as soon as practicable, conduct a public hearing where the licensee and the City of Marine City Manager will each have the opportunity to give testimony, present evidence, and show cause as to why the license should or should not be placed in non-renewal status or suspended or revoked and as to any conditions for reinstatement or renewal.

I. Appeal to City of Marine City. A recommendation of the Planning Commission may be appealed through a written request to the City of Marine City Clerk within 10 business days from the date the Planning Commission issued its recommendation. The City of Marine City Clerk shall place the appeal on the agenda for the next regular meeting of the City of Marine City Commission. A written appeal shall be limited to 20 pages and up to 10 pages of exhibits.

The City of Marine City Commission shall be limited to reviewing the record of the hearing at the Planning Commission.

If the Planning Commission's recommendation is supported by the existing record, then the Planning Commission's recommendation shall be adopted by the City of Marine City Commission.

It shall be the burden of the licensee to show by clear and convincing evidence that the Planning Commission's recommendation was not supported by the existing record.

The City of Marine City Commission may adopt the Planning Commission's recommendation, in whole or in part, or may issue an entirely new decision. The decision of the City of Marine City Commission shall be final.

J. Severability.

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

K. Violations and Penalties.

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 for all legal purposes.

A violation of this ordinance shall be a misdemeanor, for which the punishment for a first violation shall be a fine of not less than \$100.00 and not more than \$500.00, or imprisonment not to exceed ninety (90) days, or both, in the discretion of the court. The punishment for a second or subsequent violation shall be a fine of not less than \$250.00 and not more than \$500.00, or imprisonment not to exceed ninety (90) days, or both, in the discretion of the court. For purposes of this section "second or subsequent violation" means a violation of the provisions of this ordinance committed by the same person within twelve (12) calendar months of a previous violation of the same provision of this ordinance for which said person pled or was adjudicated guilty. The foregoing penalties shall be in addition to the rights of the City of Marine City to proceed at law or equity with other appropriate and proper remedies.

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

The City of Marine City may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

CITY OF MARINE CITY

**ADULT USE MARIJUANA FACILITY LICENSE APPLICATION
(For review on February 1, 2024)**

An electronic version of the completed application must be provided on a flash drive

Type of Application	Type of License(s) being Applied for
<input type="checkbox"/> New	<input type="checkbox"/> Retailer
<input type="checkbox"/> Renewal	<input type="checkbox"/> Safety Compliance
<input type="checkbox"/> Modification	<input type="checkbox"/> Secure Transporter

License Applicant:

_____ Name

_____ Address City State Zip Code

_____ Phone Number Cell Number Email of Company Name

_____ Proposed Facility Address

_____ Proposed Facility Parcel/Property ID Number

FOR CITY USE ONLY			
Date Received	Application Number	Fire Department	Building Department
_____	_____	_____	_____
Time Received	Employee Initials	Planner	Administration
_____	_____	_____	_____
Final Disposition Date: _____			

The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the stated License Applicant and the Marijuana Business (Attach additional pages if necessary).

<hr/>			
Full Legal Name (First Middle Last)			
<hr/>			%
Official Position/Nature of Interest		Ownership Percentage	
<hr/>			
Address	City	State	Zip
<hr/>			
Phone Number	Cell Number	Email	

<hr/>			
Full Legal Name (First Middle Last)			
<hr/>			%
Official Position/Nature of Interest		Ownership Percentage	
<hr/>			
Address	City	State	Zip
<hr/>			
Phone Number	Cell Number	Email	

<hr/>			
Full Legal Name (First Middle Last)			
<hr/>			%
Official Position/Nature of Interest		Ownership Percentage	
<hr/>			
Address	City	State	Zip
<hr/>			
Phone Number	Cell Number	Email	

You must attach one (1) copy of each of the following items/documents with the submittal of this Application:

1. Preliminary State License Approval. A letter from the Marijuana Regulatory Agency of the State of Michigan (or any designated successor entity) granting preliminary state license approval for the Applicant to operate the marijuana facility that the Applicant is requesting for approval within the City of Marine City. The burden to obtain any and all State approvals shall be on the Applicant.
2. All documentation showing the proposed License Holder's valid tenancy, ownership or other legal interest in the proposed Facility location. If the Applicant is not the owner of the proposed Facility location, a notarized statement from the owner of such location authorizing the use of the location for a Marijuana Facility for all purposes under this Application shall be provided.
3. If the proposed License Holder is a corporation, non-profit organization, Limited Liability Company or any other legal entity other than a natural person, indicate its legal status, attach a copy of all company formation documents (including amendments), proof of registration with the State of Michigan, and a certificate of good standing from the applicable jurisdiction.
4. A copy of a valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Marijuana Facility.
5. Evidence of a valid sales tax license if such a license is required by state law or local regulations.
6. A Non-refundable Application fee/Renewal fee of \$5,000 per license requested in the form of a certified check made payable to the "City of Marine City".
7. A Business and Operations Plan showing, in detail, the Marijuana Business's proposed plan of operation, including without limitation, the following information:

- a. A written and complete description of the type of Marijuana Facility proposed and the anticipated or actual number of employees. The name of the proposed Manager of the Marijuana Facility. The days and hours the Marijuana Facility will be open and or in operation.
- b. A security plan meeting the requirements of the Ordinance which shall include a general description of the security system(s) and/or lighting plan showing the lighting outside of the Marijuana Facility.
- c. A list of Material Safety Data Sheets for all nutrients, pesticides, and other chemicals and/or compounds proposed for use in the Marijuana Facility. A copy of a procedural plan for periodic testing of contaminants, including mold and pesticides.
- d. A description and plan of all equipment and methods that will be employed to stop any impact to adjacent properties and uses, including enforceable assurances that no odor will be detected form outside the Facility location property lines. State of the Art proposed odor control technology should be described in detail.
- e. A plan for the disposal of Marihuana and related by-products that will be used at the Facility which includes, at a minimum, how the Facility will protect against any marijuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any marijuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction to the sewage system is strictly prohibited.

8. The identification of any business, other than the Applicant, that will be directly or indirectly involved in the operations at the Facility.

9. A signed attestation in a form approved by the State of Michigan indicating all prior applications, approvals or denials in other jurisdictions and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation or nonrenewal, including the licensing authority, the date each action was taken and the reason for each action.

10. A Site Plan for the Facility. The site plan shall include an interior floor plan as well as a scale diagram illustrating the Facility location upon which the Facility(s) is to be operated,

including all available parking spaces and specifying which parking spaces, if any, are handicapped accessible. A location area map of the Marijuana Facility and the surrounding area that identifies that the location of the Facility is situated. The Site Plan shall comply with the applicable and controlling City of Marine City ordinances in terms of scope, copies and submittal process. The Site Plan shall affirmatively present all relevant and controlling setbacks and applicable buffers.

11. Information regarding any other Marijuana Business Facility that the Applicant/Licensee is currently authorized to operate in any other jurisdiction within the State of Michigan, or another State, and the Applicant's involvement in each Facility identified.

12. Proof of Insurance. Any Licensee in the City of Marine City shall, at all times, maintain in full force and effect for duration of the License, worker's compensation insurance as required by state law, and general liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit issued from a company licensed to do business in Michigan. A Licensee shall provide proof of insurance to the City of Marine City Clerk in the form of a certificate of insurance evidencing the existence of a valid and effective policy which discloses the limits of each policy, the name of the insurer, the effective date and expiration date of each policy, the policy number and the names of the additional insureds. The policy shall name the City of Marine City and its appointed and elected officials and employees as additional insureds to the limits required by this section. A Licensee or its insurance broker shall notify the City of Marine City of any cancellation or reduction in coverage within seven (7) days of receipt of insurers' notification to that effect. The license Holder shall forthwith obtain and submit proof of substitute insurance to the City of Marine City Clerk within five (5) business days in the event of expiration or cancellation of coverage.

Release of Liability, Indemnification and Waiver

This Application process or the granting of a license hereunder is not intended to grant, nor shall it be construed as granting, immunity of any kind from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marijuana not in strict compliance with state of federal law. Also, because federal law is not affected by state law or local ordinance, nothing in this Application; the granting of a license hereunder; or any City of Marine City ordinance, policy, or rule is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under federal law or state law. This Application, or the issuance of a City of Marine City license does not protect users, caregivers, or the owners of properties on which the use of marijuana/marihuana is occurring from federal prosecution, or from having their property seized by federal authorities under the Federal Controlled Substances Act or other federal statutes.

Upon issuance and acceptance of a license for a Marijuana Facility and/or renewal, the undersigned individual, and on behalf of _____, as its duty authorized agent, hereby unconditionally and irrevocably waives, discharges, and releases the City of Marine City, its agents, employees, and all appointed and elected officials from any and all claims, damages, and liability in any way arising out of or related to the permitted premises. The License holder expressly agrees to indemnify, defend, and hold harmless the City of Marine City, including its agents, employees, officials, and elected officials to the fullest extent permitted by law and equity for any and all claims, damages, injuries or liabilities at law or equity in any way arising out of or related to any acts, omission activities, conditions, or occurrences or incident in any way related to the premises at issue and the operations conducted on the premises.

Additionally, the applicant hereby agrees to not violate any of the laws of the State of Michigan or the ordinances of the City of Marine City in conducting the business in which the license will be used, and that a violation on the premises may be cause for objecting to renewal of the license, or for revocation of the license.

The applicant agrees to make the premises open for inspection upon request by the City of Marien City Administration, Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws, local ordinance and rules, during the stated hours of operation/use and at such other times as anyone is present on the premises. The applicant agrees to inspections by the City of Marine City Official's designee to confirm the facility is operating in accordance with applicable laws including, but not limited to, state law and local ordinances.

Authorized Signature

Title

Date

Oath of Application

I declare under penalty of perjury that this application, the information presented herein, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with all applicable ordinances, laws and regulations. I acknowledge and understand that I am required to immediately provide the City of Marine City with any changes in the information submitted with the Application or any other changes that materially affect a License if granted.

Signature of Applicant

Sworn to and subscribed before me this
____ day of _____, 20

/s/ _____

Notary Public, _____

County of _____, Michigan

My Commission Expires _____



AGENDA MEMO

TO: Mayor & City Commissioners

FROM: Jason Bell

SUBJECT: Tablet Purchase - CDWG

BACKGROUND INFORMATION: Purchase of Surface tablets for City Commission and City Administration to use for the purpose of Peak Agenda/Meeting Minutes software and to connect remotely for work. Requesting the use of ARPA funds to purchase.

ORIGINATING DEPARTMENT:

BUDGETED ITEM: No

REVIEWED BY:

**STAFF RECOMMENDATION
PRESENTED BY:**

RECOMMENDED ACTION(s) Approve the purchase of 14 - Surface Pro 9 tablets, accessories and warranties in the amount of \$22,300.88.

DATE APPROVED FOR AGENDA:

ATTACHMENTS:
[Surface Quote.pdf](#)



Thank you for choosing CDW. We have received your quote.

QUOTE CONFIRMATION

JASON BELL,

Thank you for considering CDW•G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
NRXQ337	1/12/2024	NRXQ337	10402625	\$22,300.88

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Microsoft Surface Pro 9 - Core i5 - 8 GB RAM - 256 GB SSD - Graphite - W11 Mfg. Part#: QF1-00019 Contract: Michigan Master Computing-MiDEAL (071B6600110)	14	7193133	\$1,126.71	\$15,773.94
Microsoft 3 Year Complete for Business Protection Plan-Surface Pro Mfg. Part#: A9W-00005 UNSPSC: 81112307 Electronic distribution - NO MEDIA Contract: Michigan Master Computing-MiDEAL (071B6600110)	14	3072615	\$243.53	\$3,409.42
Microsoft Surface Pro Signature Keyboard - keyboard - with touchpad, accele Mfg. Part#: 8X8-00001 Contract: Michigan Master Computing-MiDEAL (071B6600110)	14	6715449	\$222.68	\$3,117.52

These services are considered Third Party Services, and this purchase is subject to CDW's [Third Party Cloud Services Terms and Conditions](#), unless you have a written agreement with CDW covering your purchase of products and services, in which case this purchase is subject to such other written agreement.

The third-party Service Provider will provide these services directly to you pursuant to the Service Provider's standard terms and conditions or such other terms as agreed upon directly between you and the Service Provider. The Service Provider, not CDW, will be responsible to you for delivery and performance of these services. Except as otherwise set forth in the Service Provider's agreement, these services are non-cancellable, and all fees are non-refundable.

SUBTOTAL	\$22,300.88
SHIPPING	\$0.00
SALES TAX	\$0.00
GRAND TOTAL	\$22,300.88

PURCHASER BILLING INFO	DELIVER TO
------------------------	------------

Billing Address:
 CITY OF MARINE CITY
 ACCOUNTS PAYABL
 260 S PARKER ST
 MARINE CITY, MI 48039-3502
Phone: (810) 765-8830
Payment Terms: Net 30 Days-Govt State/Local

Shipping Address:
 CITY OF MARINE CITY
 JASON BELL
 260 S PARKER ST
 MARINE CITY, MI 48039-3502
Phone: (810) 765-8830
Shipping Method: FEDEX Ground

Please remit payments to:

CDW Government
 75 Remittance Drive
 Suite 1515
 Chicago, IL 60675-1515



Sales Contact Info

Romil Yadav | 800.808.4239 | romil.yadav@cdwg.com

LEASE OPTIONS

FMV TOTAL	FMV LEASE OPTION	BO TOTAL	BO LEASE OPTION
\$22,300.88	\$610.82/Month	\$22,300.88	\$702.03/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

Need Help?



My Account



Support



Call 800.800.4239

[About Us](#) | [Privacy Policy](#) | [Terms and Conditions](#)

This order is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdwg.com/content/terms-conditions/product-sales.aspx>

For more information, contact a CDW account manager.

