

Proceedings of the Ironwood Planning Commission

A Regular Meeting of the Planning Commission was held on Wednesday, November 7, 2012 at 5:30 P.M. in the Conference Room #1, Second Floor of the Municipal Memorial Building in the City of Ironwood, Michigan.

1. Chairman Wyssling called the meeting to Order at 5:30 p.m.
2. Recording of the Roll

PRESENT: Commissioner Bergman, Geib, Lemke, Burchell, Davey, Semo, and Chairman Wyssling.
ABSENT: Commissioner Johnson.

3. Approval of the October 7, 2012 Meeting Minutes.

Motion was made by Burchell, supported by Davey and carried to approve the October 3, 2012 meeting minutes as presented.

4. Approval of the Agenda

Motion was made by Bergman, seconded by Burchell and carried to amend the Agenda removing item 6. Audience.

5. Citizens wishing to address the Commission regarding Items on the Agenda (Three-minute limit)

There were none.

6. Audience

This item was removed from the Agenda.

7. Items for Discussion and Consideration

Chairman Wyssling reviewed the rules with the audience and members present for conducting the following Public Hearing.

- a. Public Hearing and Consideration of Ordinance #495, Book 4, Medical Marihuana Ordinance
 - i. Chairman Wyssling opened the Public hearing at 6:05 P.M.

City Assessor Building Inspector Dennis Hewitt addressed the Planning Commission regarding the proposed Ordinance for Medical Marihuana. Mr. Hewitt noted notice was given and the proposed Ordinance was available for review.

Chris Ryner addressed the Planning Commission regarding the proposed ordinance and handed out a three (3) page document regarding his concerns with the Ordinance No. 495, Book 4, Medical Marihuana Ordinance. He urged the Planning Commission to look at the State of Michigan Law, which was recently passed and felt it would supersede any local ordinance in the future.

Chairman Wyssling noted the Planning Commission had been reviewing this ordinance for over two (2) years with several meetings being held on this matter.

Commissioner Bergman noted the Ordinance would not be passed at this meeting. The Planning Commission would only give the City Commission their recommendation and they could hold another public hearing on this ordinance but it is not required.

City Attorney Pope weighed in on the matter stating the City of Ironwood in his opinion was not prohibiting it they are just saying they cannot do it in certain areas. He stated dispensaries are not allowed under the law and the health department director has said that within the last month, and there is legislation being proposed in the legislature which also addresses the issues of dispensaries. It is his opinion that dispensaries are not allowed.

Commissioner Bergman stated that the Zoning Enabling Act allows the Planning Commission to create Districts for certain businesses to operate.

Dan Greenwood, 111 S. Suffolk Street thanked the Planning Commission for addressing this matter.

Public Safety Officer Matt Sterbenz addressed the Planning Commission regarding the proposed Ordinance #495, Book 4. Officer Sterbenz stated he had not had much time to look over the information but had reviewed it with other law enforcement agencies. He further stated he talked with the City of Marquette and their DEA did not adopt any policies to allow medical marihuana because it would open them up to civil rights violations. The City of Marquette does not recognize or allow it. He further reviewed with the Planning Commission other communities view on the medical marihuana ordinance. Further comments were received.

Chairman Wyssling thanked Mr. Sterbenz for his time in researching this matter.

No other comments were received.

Commissioner Bergman requested the Planning Commission conduct a workshop regarding the Medical Marihuana proposed Ordinance. The Planning Commission agreed to conduct a workshop at their next regular Planning Commission Meeting on December 5th. Community Development Director Brown agreed to conduct a workshop on this matter for public and law enforcement input. Further discussion of this matter took place.

ii. Chairman Wyssling closed the Public Hearing at 6:10 p.m.

iii. Discuss and Consider Action

***Motion** was made by Bergman, seconded by Davey and carried to schedule a workshop for the next regular meeting on December 5th at 5:30 p.m.*

b. Consideration of Support for the 2012 Michigan Blight Elimination Program

Community Development Director Brown reviewed the 2012 Michigan Blight Elimination Program with the Planning Commission stating 25 million from a lawsuit was given to the State of Michigan 10 million was going to Detroit and 15 million to other communities in the State of Michigan. He further noted letters were sent out along with an informational hearing to be held on the November 12th. Mr. Brown also noted the deadline for this grant was December 12th. The only restriction is historic buildings or districts

***Motion** was made by Burchell, seconded by Bergman and carried to support the application of this grant taking into consideration historical buildings.*

c. Discussion of Zoning Ordinance Updates

Community Development Director Brown stated he reviewed the Zoning Enabling Act with the current ordinances and felt there are a couple of changes that need to be corrected and he will be forwarding them on to the Planning Commission for review.

d. Discussion of Planning Commission Goals

Community Development Director just wanted the Planning Commission to start thinking of their Goals for the upcoming year.

8. Project Updates

Community Development Director Brown updated the Planning Commission on the projects.

9. Citizens wishing to address the Commission regarding items not on the Agenda (Three-minute limit)

There were none.

10. Other Business

Chris Ryner thanked the Planning Commission for their time and pitched an idea for implementing a handout.

City Attorney Pope noted on page 8 of the Planning and Zoning News regarding where the legislature is at on these matters. He further mentioned through this process he would like the City Clerk to put a packet together containing the notice, all written materials, along with a summary of the comments made at this hearing.

11. Next Meeting: December 5, 2012

Chairman Wyssling noted he would not be able to attend the next meeting.

12. Adjournment

***Motion** was made by Davey, seconded by Geib to adjourn the meeting at 6:35 p.m.*

John Wyssling, Chairman

Karen M. Gullan, City Clerk