

Mayor Greg Mapes called a special meeting of the Alma City Commission to order at 6:00 p.m. in the Alma Municipal Building. A quorum of the Commission was present.

Roll Call

Present: Roger Allman, Andrew Bare, Roxann Harrington, Laurie Harrison, Greg Mapes, and Michelle Pitts.
Absent: Daniel Wernick.

The purpose of this special meeting is consideration of an amendment to Ordinance No. 834 regarding licensing for adult use recreational marihuana retail establishments and consideration of bonding conditions for the same.

Mayor Mapes led those present in a recitation of the Pledge of Allegiance to the United States of America.

2023-0120 Motion by Commissioner Pitts, seconded by Commissioner Bare, to approve the agenda, as presented. Motion carried.

Yes: Allman, Bare, Harrington, Harrison, Mapes, and Pitts.
No: none.
Absent: Wernick.

2023-0121 Motion by Commissioner Allman, seconded by Commissioner Harrison, to approve a resolution to adopt Ordinance No. 839 (Attachment A), known as the City of Alma Regulation of Recreational Marihuana April 2023 Amending Ordinance, to amend Ordinance 834 to provide for one additional Marihuana Retailer license, and allow for the attachment of certain reasonable conditions to a Recreational Marihuana Operator's License.

Yes: Allman, Bare, Harrington, Harrison, Mapes, and Pitts.
No: none.
Absent: Wernick.
Resolution declared adopted.

Motion by Commissioner Pitts, seconded by Commissioner Bare, to adopt proposed conditions for licensing adult use recreational use marihuana establishments.

City Attorney Adam Flory explained the proposed conditions were not written in stone, and that the purpose of them would be to avoid ending up with an unfinished construction project. Discussion followed regarding the timeline for licensing requirements. Flory and City Manager Aeris Ripley answered questions from Commissioners regarding certificate of occupancy permits, breaching bonds, extension possibilities, and potential costs to the City for handling unfinished projects. Commissioner Allman voiced concerns about bond costs being prohibitive. Mayor Mapes suggested setting a bond amount that would cover costs to the City if any project was left unfinished. Additional discussion followed and the group reached an agreement on a bond amount that would be less of a burden on applicants, but still cover potential costs for the City. Commissioner Pitts offered an amended motion without objection.

2023-0122 Motion by Commissioner Pitts, seconded by Commissioner Bare, to attach bond conditions to any of the Recreational Marihuana License holders requiring construction to obtain the Certificate of Occupancy from the City of Alma for the intended use of the structure. The bond conditions are as follows:

- Performance Bond in the amount of \$100,000.
- The bond must be obtained from a reputable insurance/bonding company subject to the approval of the City. The City's approval shall not be unreasonably withheld.
- City of Alma must be listed as the beneficiary of the Performance Bond.
- Operator must obtain a Certificate of Occupancy from the City of Alma within 2 years from the date that the Recreational Marihuana Retailer Operator's License is obtained by the Operator.
- If Operator commences with work/construction on their respective Recreational Marihuana Retailer location after obtaining the Operators License but is unable to and/or elects not to obtain a Certificate of Occupancy by the 2-year deadline, then the Bond would be forfeited to the City to allow the City to remedy the incomplete project.

- If the Operator does not begin any work/construction after obtaining the Operator's License, the Operator can voluntarily relinquish the License back to the City, and the City would not make use of the Bond.
- If 2 years or longer elapses from the date that the Operator's license is provided and a Certificate of Occupancy has not been obtained, then the City may determine that the Operator is not acting with reasonable diligence and, accordingly, the City may deem the Recreational Marijuana Retailer Operator's License is to be forfeited back to the City. This finding may only be made following a public hearing for which the Operator would be provided with reasonable notice.
- The City may provide an extension of time to obtain the Certificate of Occupancy (beyond the 2 years referenced above) based upon a showing of good cause by the Operator.

Yes: Allman, Bare, Harrison, and Pitts.

No: Harrington and Mapes.

Absent: Wernick.

Resolution declared adopted.

Commissioner Comments

Commissioner Pitts commented briefly on the success of the Library Open House.

Public Comment

Constance Ewer, Consume Cannabis, thanked the Commission for their work.

Adjournment

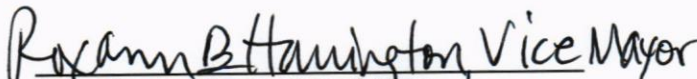
Motion by Commissioner Allman, seconded by Commissioner Bare, to adjourn the meeting at 6:20 p.m.

Motion carried.

Yes: Allman, Bare, Harrington, Harrison, Mapes, and Pitts.

No: none.

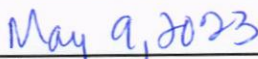
Absent: Wernick.



Greg Mapes, Mayor, City of Alma



Sara Anderson, City Clerk, City of Alma



Date of Approval

ORDINANCE NO. 839

CITY OF ALMA

GRATIOT COUNTY, MICHIGAN

**ADOPTED:
PUBLICATION DATE:
EFFECTIVE:**

AN ORDINANCE OF THE CITY OF ALMA, GRATIOT COUNTY, MICHIGAN, TO AMEND THE CITY OF ALMA REGULATION OF RECREATIONAL MARIHUANA ORDINANCE, ORDINANCE NO. 834, TO RATIFY ALL OTHER PROVISIONS OF THE AFORESAID ORDINANCE, TO PROVIDE THAT PENDING PROCEEDINGS ARE NOT AFFECTED, TO PROVIDE FOR SEVERABILITY, TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO PROVIDE FOR AN EFFECTIVE DATE AND TO DIRECT THE PUBLICATION OF THIS ORDINANCE OR A LEGALLY-PERMISSIBLE SUMMARY.

**THE CITY OF ALMA
GRATIOT COUNTY, MICHIGAN
ORDAINS:**

**SECTION I
NAME**

This Ordinance shall be known and cited as the “City of Alma Regulation of Recreational Marihuana April 2023 Amending Ordinance.”

**SECTION II
CITY OF ALMA REGULATION OF RECREATIONAL MARIHUANA ORDINANCE AMENDED**

A. Section 4(B) of the City of Alma Regulation of Recreational Marihuana Ordinance is hereby amended as follows:

1. The marihuana establishments and the number authorized pursuant to this Ordinance are:
 - i. Marihuana Grower (2)
 - ii. Marihuana Processor (2)
 - iii. Marihuana Retailer (4)
 - iv. Marihuana Safety Compliance Establishment (2)
 - v. Marihuana Secure Transporter (2)

B. Section 4(F) shall be added to the City of Alma Regulation of Recreational Marihuana Ordinance to state as follows:

1. The City Commission, in its sole discretion, may attach certain reasonable condition(s) to a Recreational Marihuana Operator’s License. Acceptance of the Recreational Marihuana Operator’s License by an Operator shall serve as the Operator’s unequivocal acceptance of any conditions attached to the License by the City of Alma. If an Operator fails to comply with any condition attached to a Recreational Marihuana Operator’s License/Licenses obtained/accepted by the Operator (or by the Operator’s predecessor in interest) said license/licenses may be revoked by the City Commission following a public hearing on the proposed revocation.