



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

City Commission Meeting
July 13, 2021
Agenda

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Public Hearing and Regular City Commission Meeting to be held Tuesday, July 13, 2021, at 7:30pm, in the City Commission Chambers, Pleasant Ridge City Hall, 23925 Woodward Avenue, Pleasant Ridge, 48069. The following items are on the Agenda for your consideration:

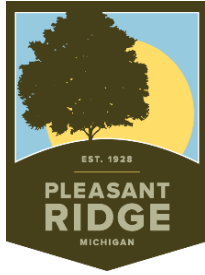
PUBLIC HEARING AND REGULAR CITY COMMISSION MEETING – 7:30 P.M.

1. **Meeting Called to Order.**
2. **Pledge of Allegiance.**
3. **Roll Call.**
4. **PUBLIC DISCUSSION – items not on the Agenda.**
5. **Governmental Reports.**
6. **City Commission Liaison Reports.**
 - **Commissioner Wahl – Recreation Commission.**
 - **Commissioner Budnik – Ferndale Public Schools/HW Library Board.**
 - **Commissioner Perry – Planning/DDA.**
 - **Commissioner Scott – Historical Commission.**
7. **Consent Agenda.**

All items listed on the Consent Agenda are considered to be routine by the City Commission, will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of these items unless a City Commissioner or visitor so requests, in which event, the item will be removed from the consent agenda and considered as the last item of business.

 - a. Minutes of the Regular City Commission Meeting held Tuesday, June 8, 2021.
 - b. Monthly Disbursement Report.
8. **Marijuana Facilities Ordinance.**
 - a. **Public Hearing** – Solicitation of public comments on the proposed Marijuana Facilities Ordinance.
 - b. Consideration of the Marijuana Facilities Ordinance.
9. **Pleasant Ridge Summer Fun Run proposal.**
10. **City Manager's Report.**
11. **Other Business.**
12. **Adjournment.**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**Public Hearing and Regular City Commission Meeting
June 8, 2021**

Having been duly publicized, Mayor Metzger called the meeting to order at 7:30pm.

Present: Mayor Metzger, Commissioners Budnik, Perry, Scott, Wahl (8:19pm).
Also Present: City Manager Breuckman. City Attorney Need, City Clerk Allison.
Absent: None

Public Discussion

Gregg Leshman, 30 Elm Park, requested the replacement street signs designate “Boulevard” and “Avenue” for Elm Park. Breuckman indicated that space on the new signs is limited, and those designations are removed on the newer signs. There is an ongoing project to replace signs citywide.

Governmental Reports

Chief Teresa Robinson, Ferndale Fire Department, gave an update regarding fire department activities and events.

Chief Kevin Nowak, Pleasant Ridge Police Department, gave a brief crime update and police department statistics and updates.

City Commission Liaison Reports

Commissioner Scott gave an update from the Historical Commission. September 11, 2021 is the date for the 2021 Garden Tour, called the “Outdoor Sanctuaries of Pleasant Ridge.” Looking for homeowners willing to showcase their garden on the tour. The museum will be resuming visiting hours soon.

Commissioner Wahl gave an update from the Recreation Commission. She detailed upcoming events related to the Recreation Department.

Commissioner Budnik gave a report for the Ferndale Public School District and the report for the Huntington Woods Library provided by the Pleasant Ridge board representatives and other events happening at the library. Check the website for opening times and activities.

Commissioner Perry gave an update from the Planning Commission/DDA, next meeting will be held Monday, July 26, 2021.

Consent Agenda

21-3515

Motion by Commissioner Scott, second by Commissioner Perry, that the consent agenda be approved.

Adopted: Yeas: Commissioners Scott, Perry, Budnik, Mayor Metzger.
Nays: None

Public Hearing – 2021-2022 Budget and Millage Rates

Breuckman presented information concerning the 2021-2022 budget and millage rates. He highlighted the accomplishments that had been achieved in the last year. The proposed budget for 2021-2022 is available on the website. If passed, it will take effect on July 1, 2021.

Mayor Metzger opened the public hearing at 7:49pm.

With no comments or questions, Mayor Metzger closed the public hearing at 7:50pm.

21-3516

Motion by Commissioner Perry, second by Commissioner Scott, that the 2021-2022 Combined City Budgets be approved and that the Budget Resolution be adopted, including the levying of

- 12.4262 mills for the General Fund Operating,
- 2.5968 mills for Infrastructure Improvements,
- 1.4829 mills for Solid Waste and Disposal,
- 0.2850 for Publicity,
- 0.3503 mills for Library Services,
- 1.1009 mills for Community Center Complex Operations,
- 1.11000 mills for Community Center Complex Debt Service,
- 0.6557 mills for Park Improvement, and
- 1.3032 mills for Police Pension Stabilization, be approved.

Adopted: Yeas: Commissioners Perry, Scott, Budnik, Mayor Metzger
Nays: None

Establishing public hearing – July 13, 2021, at 7:30pm

Breuckman gave a brief overview of the proposed marijuana facilities ordinance. The first step in considering an ordinance is to schedule a public hearing to solicit public comments on the proposed ordinance.

21-3517

Motion by Commissioner Perry, second by Commissioner Scott, that a public hearing be established for Tuesday, July 13, 2021, at 7:30pm to solicit public comments on a proposed Marijuana Facilities Ordinance.

Adopted: Yeas: Commissioners Perry, Scott, Budnik Mayor Metzger
Nays: None

Water Infrastructure Millage Ballot Language

Breuckman gave an overview of the proposed ballot language for placement on the November 2, 2021, General Election Ballot. The proposed millage would reduce the amount charged to the utility bill for upcoming water infrastructure projects.

21-3518

Motion by Commissioner Perry, second by Commissioner Scott, that the ballot proposal which reads specifically:

“Shall the City of Pleasant Ridge be authorized levy up to three and one half (3.5) mills per year, for years 2022 through 2051, in excess of its Charter authorized tax rate as reduced by Section 34, Article IX of the 1963 State Constitution, such additional millage to be used to finance water infrastructure projects including water main replacement and construction, public and private lead service line replacement, and associated restoration work within the City of Pleasant Ridge? It is estimated that 3.5 mills would provide \$620,993 if levied in full in 2022.”

be approved and forwarded to the Oakland County Clerk for placement on the Tuesday, November 2, 2021, General Election Ballot.

Adopted: Yeas: Commissioners Perry, Scott, Budnik, Mayor Metzger
 Nays: None

Delinquent Utility Bill and Credit Card fees

21-3519

Motion by Commissioner Scott, second by Commissioner Perry, that the fees charged to delinquent utility bill and credit card processing be reinstated beginning July 1, 2021.

Adopted: Yeas: Commissioners Scott, Perry, Budnik, Wahl, Mayor Metzger
 Nays: None

Return to in-person meetings

21-3520

Motion by Commissioner Wahl, second by Commissioner Scott, that the Pleasant Ridge City Commission and Junior meetings return to in person meetings beginning July 2021.

Adopted: Yeas: Commissioners Wahl, Scott, Perry, Budnik, Mayor Metzger
 Nays: None

City Manager's Report

Memorial Day Ceremony will be held Monday, May 31, 2021 at 9:00am in Memorial Park.
Community Pool Report.

Other Business

Allison discussed the upcoming November General Election, to be held November 2, 2021. There will be two City Commission seats and the Mayor seat will be elected at that time. Nominating petitions for these offices are available and will be due by 4pm on July 20th.

With no further business or discussion, Mayor Metzger adjourned the meeting at 8:38pm.

Mayor Kurt Metzger

Amy M. Allison, City Clerk

June 2021

ACCOUNTS PAYABLE

PAYROLL LIABILITIES	\$	15,228.53
ACCOUNTS PAYABLE	\$	476,151.24
TAX LIABILITIES	\$	-

TOTAL	\$	491,379.77
--------------	-----------	-------------------

PAYROLL

June 2, 2021	\$	44,077.09
June 16, 2021	\$	51,325.22
June 30, 2021	\$	67,885.06

TOTAL	\$	163,287.37
--------------	-----------	-------------------

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
PAYROLL LIABILITIES
June 2021

PG 1

Check Date	Check	Vendor Name	Description	Amount
6/2/2021	6410500255	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 2,223.37
6/2/2021	6410500256	ICMA - VANTAGEPOINT	RETIREMENT CONTRIBUTIONS	\$ 80.00
6/2/2021	6410500257	ALERUS FINANCIAL	HCSP CONTRIBUTIONS	\$ 737.68
6/2/2021	6410500258	FOPLC	UNION DUES	\$ 235.00
6/2/2021	6410500259	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 32.09
6/2/2021	6410500260	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 1,985.87
6/16/2021	6410500261	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 2,085.65
6/16/2021	6410500262	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 32.09
6/16/2021	6410500263	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 1,892.29
6/16/2021	6410500264	ALERUS FINANCIAL	HCSP CONTRIBUTIONS	\$ 718.45
6/16/2021	6410500265	ICMA - VANTAGEPOINT	RETIREMENT CONTRIBUTIONS	\$ 80.00
6/30/2021	6410500250	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 2,076.29
6/30/2021	6410500251	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 32.09
6/30/2021	6410500252	ALERUS FINANCIAL	RETIREMENT CONTRIBUTIONS	\$ 2,214.42
6/30/2021	6410500253	ALERUS FINANCIAL	HCSP CONTRIBUTIONS	\$ 723.24
6/30/2021	6410500254	ICMA - VANTAGEPOINT	RETIREMENT CONTRIBUTIONS	\$ 80.00
TOTAL PAYROLL LIABILITIES				\$ 15,228.53

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
TAX LIABILITIES
June 2021
NONE

PG 2

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
ACCOUNTS PAYABLE
June 2021

PG 3

Check Date	Check	Vendor Name	Description	\$ Amount
06/08/2021	24581	45TH DISTRICT COURT	TICKET EXPENSE-21PR00916	\$ 175.00
06/08/2021	24582	ACCUSHRED, LLC	SHREDDING SERVICES	\$ 55.00
06/08/2021	24583	ADKISON, NEED & ALLEN P.L.L.C.	ATTORNEY SERVICES	\$ 2,418.50
06/08/2021	24584	ANDERSON, ECKSTEIN & WESTRICK	ENGINEERING SERVICES	\$ 2,271.45
06/08/2021	24585	VOID CHECK	VOID CHECK	\$ -
06/08/2021	24586	AVENTRIC TECHNOLOGIES	AED PURCHASES	\$ 1,445.00
06/08/2021	24587	BADGER METER, INC.	WATER METER MAINTENANCE	\$ 685.94
06/08/2021	24588	BADGER METER, INC.	WATER METER PURCHASES	\$ 127,691.08
06/08/2021	24589	BEST CHOICE HOME SERVICES	BUILDING MAINTENANCE	\$ 832.25
06/08/2021	24590	BRILAR	DPW SERVICES AGREEMENT	\$ 22,322.21
06/08/2021	24591	BSN SPORTS, INC.	YOUTH BASEBALL EQUIPMENT	\$ 755.00
06/08/2021	24592	DAVEY TREE EXPERT COMPANY	TREE MAINTENANCE SERVICES	\$ 431.00
06/08/2021	24593	DETROIT EDISON COMPANY	STREETLIGHTING EXPENSE	\$ 3,784.76
06/08/2021	24594	EUGENE LUMBERG	PROSECUTION SERVICES	\$ 405.00
06/08/2021	24595	G2 CONSULTING GROUP	ENGINEERING SERVICES	\$ 488.00
06/08/2021	24596	GREAT AMERICA FINANCIAL SRV	TELEPHONE LEASE SERVICES	\$ 433.00
06/08/2021	24597	HAWAIIAN DANCERS LLC	DADDY DAUGHTER DANCE ENTERTAINMENT	\$ 350.00
06/08/2021	24598	HYDROCOP	WATER METER REPLACEMENT PROJECT	\$ 6,460.00
06/08/2021	24599	HYDROCOP	CROSS CONNECTION PROGRAM INSPECTION	\$ 125.00
06/08/2021	24600	J & J AUTO TRUCK CENTER	PD VEHICLE MAINTENANCE	\$ 123.01
06/08/2021	24601	KEVIN AND MONICA DONLEY	RECREATION PROGRAM REFUND	\$ 70.00
06/08/2021	24602	MICH.MUNICIPAL WORKER'S COMP.	WORK COMP CONTRIBUTION	\$ 4,018.00
06/08/2021	24603	MICHIGAN MUNICIPAL LEAGUE	MEMBERSHIP DUES	\$ 2,136.00
06/08/2021	24604	NYE UNIFORM	UNIFORM SUPPLIES-TYLER	\$ 175.50
06/08/2021	24605	O'REILLY AUTO PARTS	PD VEHICLE MAINTENANCE SUPPLIES	\$ 59.98
06/08/2021	24606	OAKLAND COUNTY TREASURER	SEWERAGE TREATMENT-MAY 2021	\$ 50,476.26
06/08/2021	24607	SCHEER'S ACE HARDWARE	BUILDING MAINTENANCE SUPPLIES	\$ 83.05
06/08/2021	24608	SHERMAN NURSERY FARMS	TREE PURCHASES AND PLANTING	\$ 18,533.16
06/08/2021	24609	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 9,713.00
06/08/2021	24610	TOSHIBA FINANCIAL SERVICES	COPIER LEASE AGREEMENT	\$ 953.09
06/08/2021	24611	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 181.19
06/08/2021	24612	USZTAN CONSTRUCTION	PAVILION CONSTRUCTION DRAW	\$ 45,609.09
06/08/2021	24613	W-S CITY OF PLEASANT RIDGE	WATER PURCHASES	\$ 3,467.27
06/16/2021	24614	ADVANCED MARKETING PARTNERS, I	PRINTING TAX STATEMENTS	\$ 498.00
06/16/2021	24615	BLOOMFIELD SPORTS SHOP	SWIM AND CAMP SHIRT PRINTING	\$ 2,817.53
06/16/2021	24616	BSN SPORTS, INC.	YOUTH BASEBALL UNIFORM SUPPLIES	\$ 85.00
06/16/2021	24617	CITY OF FERNDALE	INSPECTION SERVICES	\$ 4.00
06/16/2021	24618	CITY OF ROYAL OAK	DPW SERVICES	\$ 6,796.41
06/16/2021	24619	GREAT LAKES WATER AUTHORITY	IWC CHARGES-JUNE 2021	\$ 265.73
06/16/2021	24620	KENNETH PINEAU	DOG PARK MAINTENANCE SUPPLIES	\$ 105.70
06/16/2021	24621	KEVIN NOWAK	UNIFORM ALLOWANCE	\$ 145.36
06/16/2021	24622	LEGAL SHIELD	PREPAID LEGAL SERVICE BENEFIT	\$ 25.90
06/16/2021	24623	MUNICIPAL CODE CORPORATION	ONLINE CODE SUPPORT FEES	\$ 250.00
06/16/2021	24624	NYE UNIFORM	UNIFORM ALLOWANCE - RIED	\$ 208.25
06/16/2021	24625	OAKLAND COUNTY TREASURER	ASSESSING SERVICES AGREEMENT	\$ 19,778.01
06/16/2021	24626	PROGRESSIVE IRRIGATION	SPRINKLER STARTUP AND REPAIRS	\$ 2,128.35
06/16/2021	24627	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 8,784.76
06/16/2021	24628	SOCWA	WATER PURCHASES	\$ 17,849.73
06/16/2021	24629	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 187.58

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
ACCOUNTS PAYABLE
June 2021

PG 4

Check Date	Check	Vendor Name	Description	Amount
06/30/2021	24630	45TH DISTRICT COURT	TICKET EXPENSE 21PR01088-KEENAN	\$ 175.00
06/30/2021	24631	ANDERSON, ECKSTEIN & WESTRICK	ENGINEERING SERVICES	\$ 7,082.85
06/30/2021	24632	AQUATIC SOURCE	POOL MAINTENANCE SERVICES	\$ 697.75
06/30/2021	24633	BADGER METER, INC.	WATER METER SUPPORT SERVICES	\$ 683.06
06/30/2021	24634	CITY OF PLEASANT RIDGE-PETTY C	PETTY CASH REPLENISHMENTS	\$ 281.32
06/30/2021	24635	COMMUNITY MEDIA NETWORK	MEETING BROADCAST & RECORDING	\$ 250.00
06/30/2021	24636	CREATIVE AWARDS	SPORTS AWARDS	\$ 686.50
06/30/2021	24637	D'ANGELO BROTHERS	LEAD WATER LINE REPLACEMENTS	\$ 7,600.00
06/30/2021	24638	DAVEY TREE EXPERT COMPANY	TREE MAINTENANCE SERVICES	\$ 175.00
06/30/2021	24639	ERIKA MCNULTY	TICKET EXPENSE REFUND 21PR01163	\$ 155.50
06/30/2021	24640	EUGENE LUMBERG	PROSECUTION SERVICES	\$ 405.00
06/30/2021	24641	G2 CONSULTING GROUP	ENGINEERING SERVICES	\$ 364.00
06/30/2021	24642	KIRK, HUTH & LANGE PLC	LABOR ATTORNEY SERVICES	\$ 271.25
06/30/2021	24643	MICHELLE DELACOURT	RIDGER DESIGN SERVICES	\$ 300.00
06/30/2021	24644	OAKLAND COUNTY ANIMAL CONTROL	DOG LICENSE EXPENSES	\$ 630.75
06/30/2021	24645	OAKLAND SCHOOLS	PRINTING AND MAILING UTILITY BILLS	\$ 676.23
06/30/2021	24646	PENCHURA, LLC FKA SUPERIOR PLAY LLC	GAINSBORO PARK SUNSAIL MAINTENANCE	\$ 500.00
06/30/2021	24647	PLANTE MORAN GROUP BENEFIT ADVISORS	GROUP BENEFITS SERVICES	\$ 1,718.25
06/30/2021	24648	PROGRESSIVE IRRIGATION	PARK SPRINKLER SYSTEM REPAIRS	\$ 167.45
06/30/2021	24649	ROBERT RIED	UNIFORM ALLOWANCE	\$ 246.96
06/30/2021	24650	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 8,544.00
06/30/2021	24651	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 191.79
06/30/2021	24652	VICTORIA DICKINSON	RECREATION PROGRAM INSTRUCTOR	\$ 1,160.00
06/30/2021	24653	ESRI	ARCH GIS SOFTWARE AGREEMENT	\$ 400.00
06/30/2021	24654	ROCKET ENTERPRISE, INC	FLAG MAINTENANCE AGREEMENT	\$ 330.00
Total Accounts Payable				\$ 400,349.76

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
ELECTRONIC PAYMENTS
June 2021

PG 5

Check Date	Check	Vendor Name	Description	Amount
06/11/2021	2639	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTHCARE BENEFITS	\$ 14,675.74
06/11/2021	2640	MUNICIPAL EMP. RETIREMENT SYST.	RETIREMENT CONTRIBUTIONS	\$ 34,921.87
06/15/2021	2641	ABSOPURE	OFFICE SUPPLIES	\$ 44.50
06/15/2021	2642	ADOBE SYSTEMS INC	SOFTWARE MAINTENANCE	\$ 87.95
06/15/2021	2643	AMAZON.COM	LIFEGUARD SUPPLIES	\$ 270.57
06/15/2021	2644	AMAZON.COM	POLICE DEPARTMENT SUPPLIES	\$ 682.06
06/15/2021	2645	AMAZON.COM	JANITORIAL SUPPLIES	\$ 21.84
06/15/2021	2646	AMAZON.COM	JANITORIAL SUPPLIES	\$ 101.94
06/15/2021	2647	AMAZON.COM	JANITORIAL SUPPLIES	\$ 101.94
06/15/2021	2648	AMAZON.COM	RECREATION OFFICE SUPPLIES	\$ 8.89
06/15/2021	2649	AMAZON.COM	RECREATION PROGRAM SUPPLIES	\$ 19.99
06/15/2021	2650	AMAZON.COM	BUILDING MAINTENANCE SUPPLIES	\$ 3.29
06/15/2021	2651	AMAZON.COM	RECREATION OPERATING SUPPLIES	\$ 34.98
06/15/2021	2652	AMAZON.COM	POOL MAINTENANCE SUPPLIES	\$ 68.40
06/15/2021	2653	AMAZON.COM	POOL OPERATING SUPPLIES	\$ 55.98
06/15/2021	2654	AMAZON.COM	CLEANING SUPPLIES	\$ 189.98
06/15/2021	2655	AMAZON.COM	RECREATION PROGRAM SUPPLIES	\$ 23.99
06/15/2021	2656	AT&T MOBILITY	WIRELESS SERVICES	\$ 350.69
06/15/2021	2657	BLUMZ BY JR DESIGNS	MEMORIAL DAY SUPPLIES	\$ 98.58
06/15/2021	2658	CANVA PTY LTD	RECREATION SOFTWARE	\$ 12.99
06/15/2021	2659	COMCAST	TELECOMMUNICATION SERVICES	\$ 832.89
06/15/2021	2660	CONSUMERS ENERGY	UTILITIES SERVICES	\$ 610.99
06/15/2021	2661	DETROIT FREE PRESS	SUBSCRIPTION SERVICES	\$ 1.00
06/15/2021	2662	DTE ENERGY	UTILITIES SERVICES	\$ 1,338.24
06/15/2021	2663	EVER READY FIRST AID/DIXIE EMS	POLICE DEPARTMENT EQUIPMENT	\$ 166.71
06/15/2021	2664	FIDELITY SECURITY LIFE INS CO	HEALTHCARE VISION BENEFITS	\$ 311.85
06/15/2021	2665	HASTINGS AUTO PARTS	DPW MAINTENANCE SUPPLIES	\$ 40.87
06/15/2021	2666	HOME DEPOT CREDIT SERVICES	DPW MAINTENANCE SUPPLIES	\$ 110.37
06/15/2021	2667	ID CREATOR	PD OPERATING SUPPLIES	\$ 16.99
06/15/2021	2668	INTERMEDIANET INC.	TELEPHONE LEASE AGREEMENT	\$ 121.35
06/15/2021	2669	LEXISNEXIS	PD SUPPLIES	\$ 150.00
06/15/2021	2670	LIFEGUARD STORE	LIFEGUARD UNIFORMS	\$ 1,941.06
06/15/2021	2671	MAILCHIMP	SOFTWARE MAINTENANCE	\$ 35.99
06/15/2021	2672	MSFT	SOFTWARE MAINTENANCE	\$ 313.60
06/15/2021	2673	PLANETIZEN.COM	CONFERENCE EXPENSES	\$ 24.95
06/15/2021	2674	QUILL CORPORATION	OFFICE AND CLEANING SUPPLIES	\$ 687.94
06/15/2021	2675	SAMS CLUB	OFFICE, MEETING AND CLEANING SUPPLIES	\$ 437.26
06/15/2021	2676	STAMPS.COM	POSTAGE REPLENISHMENT	\$ 217.99
06/15/2021	2677	TRASH CONTAINERS.COM	REFUSE COLLECTION CONTAINERS	\$ 365.07
06/15/2021	2678	TRESHNA ENTERPRISES/GYMMMASTER	RECREATION PROGRAM SOFTWARE	\$ 185.00
06/15/2021	2679	UNDERGROUND PRINTING	LIFEGUARD SUPPLIES	\$ 375.00
06/15/2021	2680	WORDPRESS	WEBSITE ANNUAL FEE	\$ 300.00
06/15/2021	2681	WOW! BUSINESS	TELECOMMUNICATION SERVICES	\$ 306.50
06/15/2021	2682	XFER COMMUNICATIONS	SERVER PURCHASE	\$ 7,867.80
06/15/2021	2683	ZOOMUS.COM	TELECONFERENCE SOFTWARE	\$ 15.89
06/16/2021	2684	HEALTH EQUITY	2021 Q-3 CONTRIBUTIONS	\$ 7,250.00
Total Electronic Payments				\$ 75,801.48



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
To: City Commission
Date: July 8, 2021
Re: Commercial Marijuana Facilities Ordinance

Overview

Attached is an ordinance for to allow for medical and recreational marijuana facilities in the City of Pleasant Ridge. Please also refer to City Attorney Need's cover memo for more details about the proposed ordinance and legal issues surrounding it.

Background

With the passage of the Michigan Regulation and Taxation of Marijuana Act (MRTMA) by the voters in 2018, recreational marijuana became legal in the State. After that act passed the City Commission decided to opt out of allowing any recreational (or medical) commercial marijuana facilities in the City. Personal use and growing for personal use are legal per the state law and cannot be prohibited by the City.

At least 4 other communities in Michigan had this happen at the last election, with ordinances placed on the ballot and approved by the electors on those communities. The ordinances were not advantageous to the communities.

To prevent a similar situation from occurring in Pleasant Ridge, and to ensure that we can adopt an ordinance with the standards that we want rather than having an ordinance developed by private interests possibly forced upon us, we are introducing an ordinance to allow for marijuana businesses in Pleasant Ridge. In this way, we can establish the standards and requirements to ensure that marijuana businesses are in appropriate places and operate based on standards of our choosing. The alternative is losing our ability to establish location and operating standards if we have an ordinance written by private interests approved via a ballot initiative.

Please refer to City Attorney Need's memo for more details on the key provisions of the ordinance itself.

Requested Action

City Commission consideration of the proposed Commercial Marijuana Facilities ordinance following the public hearing.

City of Pleasant Ridge

Ordinance No. 445

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES, CHAPTER 18 – BUSINESSES, TO ADD A NEW ARTICLE VIII.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1. Amendments. Add a new Article VIII to read as follows:

Chapter 18, Article VIII – Commercial Marijuana Facilities

Section 18-290 – Purpose and intent.

An ordinance to repeal Section 42.15, of the City Code, to protect the public's health, safety, and welfare and to implement certain provisions of the Michigan Medical Marihuana Act of 2008, MCL 333.26421 et seq. (MMMA), the Michigan Medical Marihuana Facilities Licensing Act of 2016, MCL 333.26421 et seq. (MMFLA), the Marihuana Tracking Act of 2016, MCL 333.27901 et seq. (MTA), the Michigan Regulation and Taxation of Marihuana Act of 2018, MCL 333.27951 et seq. (MRTMA), the Michigan Zoning Enabling Act, MCL 125.3101 et seq. (MZEA), and the State of Michigan Marihuana administrative rules, as amended and future amendments. This ordinance shall authorize and provide for the regulations and licensing of certain commercial marihuana facilities within the City; to establish the maximum number of licenses and locations where these facilities may be located; to establish procedures for the granting of licenses; to provide for an assessment of fees; and to provide penalties for violations.

Section 18-291 – Definitions.

Unless otherwise indicated, definitions shall have the same meaning as defined under the MMMA, the MMFLA, the MTA., the MRTMA, the MZEA, and the State of Michigan marihuana administrative rules, as amended and with future amendments.

- a) "Acts" means the MMMA, the MMFLA, the MTA., the MRTMA, and the MZEA.
- b) "Annual Fee" means an annual non-refundable fee of five thousand (\$5,000.00) dollars per license to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the municipality.
- c) "Applicant" means a named and specific individual who is identified as an owner of a proposed marihuana facility in an application submitted to the city for a city operating license.
- d) "Application" means a form provided by the city for an applicant to complete for

submission to the city for a city operating license and/or a form provided by the State of Michigan for an application for state licensing.

- e) "Application fee" means a non-refundable application fee of five thousand (\$5,000.00) dollars per license.
- f) "Business License" means a person authorized by the city to operate, conduct, maintain, or manage any business, commercial occupancy, trade, occupation, or premises for commercial or business reasons.
- g) "Caregiver" means a person registered by the Department of Licensing and Regulatory Affairs under MMMA to provide medical marihuana to a caregiver's own designated patient(s).
- h) "Designated consumption establishment" means a commercial space that is licensed and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the license.
- i) "Department" means the Department of Licensing and Regulatory Affairs.
- j) "Equivalent license" means any of the following license types issued under MMFLA and/or MRTMA:
 - 1) Marihuana retailer or provisioning center
 - 2) Secure transporter
 - 3) Safety compliance facility
- k) "Establishment" means a location at which a license holder is licensed to operate as a medical and/or recreational grower, safety compliance facility, processor, microbusiness, retailer, provisioning center, secure transporter, or designated consumption establishment.
- l) "Facility" means a location at which a license holder is licensed to operate as a medical and/or recreational grower, safety compliance facility, processor, microbusiness, retailer, provisioning center, secure transporter, or designated consumption establishment.
- m) "Grower" means a licensed commercial entity that cultivates, dries, trims, or cures and packages marihuana for sale to licensed marihuana establishments except for a Safety Compliance Facility and a Secure Transporter.
- n) "Licensed" or "Licensed Facility" means a marihuana facility where a person holds both a state operating license and a city operating license at a specified location.
- o) "Marihuana" or "Marijuana" means the term as defined in the Public Health Code, MCL 333.7106 et seq. and all future amendments.
- p) "Marihuana-Infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation.
- q) "Marihuana microbusiness" means a licensed commercial entity that can cultivate not more

than 150 marihuana plants; process and package marihuana; and sell or transfer marihuana to individuals who are 21 years of age or older, but not to other licensed marihuana establishments.

- r) "Marihuana retailer" means a licensed commercial entity that purchases or transfers marihuana from a licensed grower and/or processor and sells or transfers to individuals who are 21 years of age or older. A licensed retailer may also sell or transfer to registered patients or registered caregivers with the equivalent medical license.
- s) "Patient" means an individual registered through the department under the MMMA with a qualified debilitating condition or a patient with a valid card from another state with a medical marihuana program.
- t) "Person" or "Licensee" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.
- u) "Processor" means a licensed commercial entity that extracts resin from the marihuana from a licensed grower and/or processor for sale and/or transfer in packaged form to a licensed retailer or another processor.
- v) "Provisioning center" means a licensed commercial entity that purchases or transfers marihuana from a licensed grower and/or processor and sells or transfers to registered patients and registered caregivers. A licensed provisioning center may also sell or transfer to individuals who are 21 years of age or older with the equivalent recreational license.
- w) "Retailer" means a licensed commercial entity that purchases or transfers marihuana from a licensed grower and/or processor and sells or transfers marihuana to a person 21 years of age or older. A licensed retailer may also sell or transfer to individuals who are a registered patient or registered caregiver with the equivalent medical license.
- x) "Safety compliance facility" means a licensed commercial entity authorized to receive marihuana from, test marihuana for, and return marihuana to a licensed marihuana facility, caregiver, or patient.
- y) "Secure transporter" means a licensed commercial entity that can store and transport marihuana to and from licensed marihuana establishments for a fee.
- z) "State Operating License" means a license issued by the department that allows a person to operate a marihuana facility.

Section 18-292 – Location, number, and types of licenses.

- a) A facility is only allowed in the W and C zoning districts.
- b) A facility is only allowed in a building that is separated at least 200 feet from any structure that is zoned or used for residential purposes pursuant to the City zoning ordinance.

- c) Every facility shall meet the requirements of the City Code, the Acts, and State of Michigan marihuana administrative rules, as amended and future amendments.
- d) All proposed facilities shall meet the specific zoning district requirements as outlined in the City zoning ordinance.
- e) All facilities must maintain dual licensure of the equivalent license type pursuant to the MMFLA and the MRTMA as defined in section -02 (M) and under the administrative rules. The City Commission may consider a waiver for a facility licensed under MMFLA that does not wish to maintain licensure under MRTMA.
- f) All applicants granted a city operating license of any type shall be required to be fully operational no later than six (6) months from the date in which the city operating license was granted. A licensee may submit to the city clerk in writing, thirty (30) days prior to the date in which the facility is required to be fully operational, a request for up to a six (6) month extension. An extension request will be reviewed for consideration by city administration. Licensees who are not fully operational within the allotted time may result in its city operating license being revoked by the city manager without contention from the licensee.
- g) Number of Facilities Permitted. The City shall limit the number of marijuana facilities and marijuana establishments allowed within the City's boundaries to the number listed below. The City may revise these categories and limits by ordinance amendment, from time to time.
 - 1) Designated Consumption Establishment: 0 are authorized.
 - 2) Growers: 0 are authorized.
 - 3) Marijuana Microbusiness: 1 is authorized.
 - 4) Marijuana Retailer or Provisioning Center: 2 are authorized.
 - 5) Processors: 2 are authorized.
 - 6) Safety Compliance Facility: 2 are authorized.
 - 7) Secure Transporters: 2 are authorized.
- h) The foregoing city operating license quantities shall be subject to the availability of locations in areas zoned for facilities and shall be reduced to the extent locations are unavailable in such areas. Applications for available city operating license(s) shall be accepted for consideration defined by a specific time period. The specific time period for the city to accept new applications shall be recommended by the city manager and codified by a resolution of City Commission.
- i) A co-located facility must meet all facility requirements and zoning requirements for all facility types in which the applicant intends to operate within a co-located facility.
- j) Operation at the same location that includes a licensed retailer shall have the entrance and exit to the retail portion of the facility clearly marked so that persons can clearly identify the retail entrance and exit.

- k) No medical marihuana patient or primary caregiver registered under and defined by the MMMA may utilize a commercial building in the W or C Zoning Districts for purposes of growing plants for patients under the MMMA. A primary caregiver may only utilize a house in a residentially zoned district that they reside in to grow marihuana under the MMMA. In addition, the growing of marihuana in said residence may not constitute a nuisance, affecting the neighbor's quiet enjoyment of their property, and the house utilized for growing marihuana under the MMMA must meet all building, electrical, mechanical, and plumbing code standards.

Section 18-293 Facility requirements.

All facilities operating within the city shall be subject to the following additional requirements and restrictions:

a) Licensing and Insurance

- 1) No person may operate a facility in the city without a city operating license issued pursuant to Chapter 18 of the City Code.
- 2) All current state operating license(s) and city operating license(s) shall be prominently displayed within the facility in a location where it can be easily viewed by the public.
- 3) All facilities shall comply with all federal, state, and local codes and regulations.
- 4) For all retail facilities and delivery services, a licensee must first acquire the necessary authorization from the department to deliver to a registered patient, registered caregiver, or persons 21 years of age or older.
- 5) Premises liability and casualty damage insurance in the amount of one million dollars (\$1,000,000.00) shall be maintained and proof shall be submitted to the city when the applicant has been notified that they are ready for final approval. Proof of adequate premises liability and casualty insurance policy in the amount of no less than one million (\$1,000,000) dollars, covering the marihuana facility and naming the city as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors. Proof of executed insurance shall be provided to the city clerk within thirty (30) days of the issuance of the city operating license as proposed in the application.
- 6) Each facility shall be bonded to guarantee that all accounting and taxes are paid in full, according to the law, and that the facility will perform in accordance with all federal, state, and local government standards.

b) Operating Standards:

- 1) The use of marihuana shall comply with the Acts, state administrative rules, and the Department of Community Health, as amended and future amendments.
- 2) No marihuana facility shall have an entrance or exit which provides direct access to another type of business, residence, or living quarters, except where permitted by the MMFLA, MRTMA, or corresponding administrative rules.

- 3) No marihuana facility shall allow the inhalation, use, or the consumption of marihuana, tobacco, or alcohol, except where permitted by the MMFLA, MRTMA, or corresponding administrative rules.
- 4) Alcoholic beverages and nicotine products shall not be sold, conveyed, or consumed on the premise of any facility. Nor shall any person be present on the premise of a facility while intoxicated and/or under the influence of alcohol or any other controlled substance.
- 5) No marihuana may be smoked, used, or consumed at any marihuana establishment except a designated consumption establishment or a temporary marihuana event that has been approved by the state and city for consumption and/or sales.
- 6) The facility shall be subject to inspection by law enforcement, city officials, officials from the department, or the state department of community health during the hours of operation.
- 7) Facilities shall have electrical, fire safety, plumbing, filtration, and waste disposal systems, which are compliant, appropriate, and consistent with best industry practices, city and state rules and regulations for the business being conducted.
- 8) The portion of the facility, such as a grow room, and the storage of any chemicals, such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the City Fire Chief, or his or her duly authorized representative, to ensure compliance with the applicable Michigan Fire Protection Code.
- 9) Facilities greater than 12,000 square feet shall install and have approved a fire suppression system, with all square footage of the facility fire suppressed and covered with overhead sprinkler head fire suppression systems, as dictated by the City Fire Chief, or his or her duly authorized representative.
- 10) All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the facility in which electrical wiring, lighting and/or watering devices that support the cultivation, growing, harvesting, or processing of marihuana are located.
- 11) No person under the age of 18 years shall be permitted to enter a facility. A person under the age of 18 years who possess a valid medical marihuana card issued by the state or another state, and is accompanied by his/her legal guardian, may enter a licensed medical retailer facility.
- 12) All litter must be removed from the premises, including the parking lot, sidewalk, and all areas visible to the public at least twice daily.
- 13) Each licensee shall be liable for all costs associated with the investigation, prosecution, incarceration, booking, medical treatment, storage and destruction of evidence, and any other unspecified costs, for the failure to comply with the provisions of this chapter which result in the arrest and prosecution of any employee, owner, or patron.
- 14) Facility signs shall comply with section 82-196, and facilities shall not use exterior signage or displays with neon, flashing lights, or similarly noxious or obtrusive lighting or effects. Facilities may not use exterior signage or displays that contain an image of a marihuana leaf

or other commonly recognized symbol for marihuana or which utilize any of the following words: marijuana, marihuana, weed, cannabis, blunt, doobie, joint, hooch, hash, or other similar slang term for marihuana or marihuana-related products. Only one sign per building shall be allowed.

- 15) Secured transport and grow facilities shall have bay doors in which a secure transport vehicle can enter to deliver or pick up or store marihuana. Ingress and egress lanes to the bay doors shall be clearly marked to allow entry of secure transport vehicles. Unless required by MMFLA, MRTMA, or state administrative rules, other marihuana facilities shall not be required to have bay doors.
- 16) Residential uses within the same structure/building are prohibited.
- 17) Outdoor storage is prohibited.
- 18) All facility operations shall occur indoors and out of public view. Mobile facilities, drive throughs, and exterior walk-up windows are prohibited.
- 19) No equipment or process shall be used in any facility which creates or emits noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses beyond the property boundary. Generators shall be in place to ensure that the air filtration system and security system(s) remain operational in the event of an electrical outage. Generators shall be housed in a containment area to prevent noise emanating to areas outside of the containment shelter.
- 20) Access to secure areas of a facility shall be restricted to the licensee and authorized employee of the licensee. Trade services provided by individuals not normally engaged in the operation of a facility must be reasonably monitored, logged in as a visitor, and escorted through any limited access areas.
- 21) All disposal areas and dumpsters shall be secure to prevent unauthorized access. All disposal areas and dumpsters shall be enclosed by a decorative masonry or brick wall on three sides and a wrought iron gate, as authorized by city administration, to provide access only to the licensee, authorized employee, waste hauler, or city official.
- 22) All facilities shall obtain appropriate utility upgrades to prevent interference with or a drain on neighboring properties.
- 23) Outdoor cultivation is prohibited.
- 24) All facilities hours of operation shall be no earlier than 10:00 a.m. and no later than 9:00 p.m. except designated consumption establishments which may have hours of operation shall between the hours of 10:00 a.m. to 2:00 a.m, if permitted.
- 25) Windows shall be free and clear of all advertising, shelves, inventory or the like which would impair the view to the exterior of the premises.
- 26) Windows shall be opaque to the exterior; opaque means that the glass transmits light but does not allow a view of objects on the other side.

- 27) Retailers and growers shall be required to provide a vestibule at the primary point of entrance/exit of the facility with proper ventilation to further deter odor from emitting from the building or present an alternative odor prevention plan to the city manager for approval.
 - 28) Deliveries shall only take place during hours of operation.
 - 29) Secure Transporter facilities shall not store marihuana or currency in a secure transport vehicle, nor shall the vehicle bear any markings or identification that it carries marihuana or marihuana-infused products.
 - 30) Safety Compliance facilities shall have a secured laboratory space that cannot be accessed by the public.
 - 31) Designated consumption establishments shall provide for all marihuana to be contained within the main building in an enclosed, locked facility, and shall always follow City ordinances, the acts, and State of Michigan marihuana administrative rules, as amended.
 - 32) Designated consumption establishments shall destroy and dispose of any marihuana product left at the establishment that is considered waste in accordance with City ordinances, the Acts, and State of Michigan marihuana administrative rules, as amended and with future amendments.
 - 33) Designated consumption establishments must employ or otherwise retain onsite security personnel during all business hours.
- c) Parking shall be in accordance with the requirements of section 82-195 of the city's zoning ordinance, as follows:
- 1) Designated Consumption Establishments shall meet the parking requirements applicable to restaurants.
 - 2) Retailers and Provisioning Centers shall meet the parking requirements applicable to retail stores.
 - 3) Growers shall meet the parking requirements applicable to manufacturing and research establishments.
 - 4) All other marijuana establishments shall meet the parking requirements applicable to professional offices.
 - 5) All required parking spaces shall be provided in an off-street parking lot on the same site as the facility. No parking reductions or modifications available in Section 82-195 shall apply to facilities licensed under this ordinance.
- d) Security. Facilities shall implement the following security measures:
- 1) There must be at least one security guard in place on the site during operating hours, subject to increased security requirements, including 24-hour security guard requirement, upon notice by the city manager.

- 2) Facilities shall install and maintain an alarm system, twenty-four (24) hours per day and seven (7) days a week, and shall have security cameras covering, at a minimum, all parking areas, entrances and exits, points of sale, and all areas where marihuana is stored or handled. Upon the request of the city manager, the licensee shall provide to the city an IP address which provides the city with real-time access to all security camera feeds at the facility, and the facility shall maintain thirty (30) days of historical footage on file. Proof of security installation shall be provided to the city clerk within thirty (30) days of the issuance of the city operating license.
- 3) Facility surveillance and security camera recordings are subject to inspection for purposes of determining compliance with state and local laws, without a search warrant.
- 4) The proposed plan for secured parking and/or fencing must be aesthetically consistent with the area and must be approved by the city manager for each facility.
- 5) A safe for all cash, cash equivalents, and marihuana stored in the facility overnight.
- 6) A Knox Box shall be required, or an equivalent system designed to allow first responders with immediate access into secure buildings. Proof of Knox Box installation shall be provided to the city clerk within thirty (30) days of the issuance of the city operating license.

Section 18-294 Applications and fee requirements.

- a) Each applicant requesting for authorization to operate a facility within the city shall file an application, under oath, upon forms provided by the city. All applications shall be completed in its entirety and submitted to the city clerk's office. All applications shall be submitted in compliance with the City's ordinances, the Acts, and State of Michigan marihuana administrative rules, as amended and future amendments.
- b) Every application shall include site plans for the proposed facility. In addition to the requirements set forth in this ordinance and in the zoning ordinance, the following shall be provided:
 - 1) Floor plan and layout, including dimensions, maximum storage capabilities, number of rooms, dividing structures, fire walls, entrances and exits, and parking lot plan and layout.
 - 2) Means of egress, including, but not limited to, delivery and transfer points.
 - 3) Construction details for structures and fire-rated construction for walls.
 - 4) Security plan in full compliance with the state administrative rules.
 - 5) Succession plan for the business in the event of death or incapacitation of applicant(s).
- c) Without limitation, the applicant shall fill out the city's application form, provide all documentation and information requested by the city and shall specify the property address of the proposed facility, which must be located within an area zoned for such use and provide proof of ownership or tenancy of said property. In the event an applicant supplies a

binding purchase agreement, and the applicant is otherwise deemed to qualify for a city operating license, the city may issue a city operating license conditioned on the applicant submitting a deed to the property within ninety (90) days of issuance of the city operating license.

- d) Every application, including renewals, shall include the following non-refundable fees:
 - 1) Each application submitted to the city requesting to operate a facility within the city shall pay to the city a non-refundable annual fee in the amount of five thousand (\$5,000) dollars per license to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the city.
 - 2) Each application submitted to the city requesting to operate a facility within the city shall pay to the city, on an annual basis, a non-refundable application fee of five thousand (\$5,000) dollars per license.
 - 3) Upon approval of a city operating license and before the license will be issued by the city, and at the time of renewal, each licensee shall pay to the city a non-refundable annual inspection fee of four thousand (\$4,000) dollars to defray the cost of city inspections.
 - a. All facilities shall be inspected by the city on at least an annual basis to ensure compliance and that appropriate electrical, fire safety, plumbing, filtration, and waste disposal systems are installed and in proper working order.
 - b. In addition to the foregoing annual inspections, the city may inspect any facility, at any time, upon reasonable cause to believe that a violation of the City Code, the Acts, or State of Michigan administrative rules has occurred.
- e) All applicants must submit a completed application and certify under oath that the information contained therein is true and accurate.
- f) Failure to provide a complete application and/or the required fees may result in a denial of the application and/or renewal application.

Section 18-295 - Application Review.

- a) The city manager shall, consistent with the requirements of this ordinance, report to city commission applications for consideration by city commission for a city operating license. In evaluating the applications, the following criteria shall be considered:
 - 1) Compliance with application requirements;
 - 2) Compliance with the requirements of this ordinance;
 - 3) Qualifications of the applicant;
 - 4) Capitalization and means to operate the proposed facility;
 - 5) Business history and experience;

- 6) Business history with Pleasant Ridge;
- 7) Prior or current licensure;
- 8) Non-marihuana business interests;
- 9) Regulatory compliance/legal history;
- 10) Strength of business plan;
- 11) Integrity, moral character, and cooperation level with the city;
- 12) Financial benefit to the city;
- 13) Neighborhood compatibility
 - a. Consideration of the effects of the proposed operation on nearby properties including, but not limited to, anticipated traffic flow, total number of patrons per day, aesthetics of the building, building capacity. The City may require professional studies to be provided and paid for by the applicant should the proposed establishment require further examination on the impact of the public's health, safety, or welfare. Such professional evaluations include, but are not limited to, traffic, engineering, surveyor, environmental, safety, etc.
 - b. Non-marihuana related business(es) you plan to open and operate within the city of Pleasant Ridge.
 - c. Total capital investment to be invested, e.g. renovations to the property and surrounding area, equipment, fixtures, and other related items.
 - d. If the proposed location is vacant, the number of years in which the property has been vacated.
 - e. Proximity to surrounding establishments.
 - f. Environmentally friendly design.
 - g. Improvements to landscaping, parking, lighting, and surrounding area.
- 14) Community involvement;
- 15) Whether applicant is proposing to replace an existing business;
- 16) Whether applicant and its stakeholders have made or plan to make significant capital improvements to the proposed facility, the surrounding neighborhood, and/or the city. This includes, but is not limited to:
 - a. The total overall capital investment in funds to be invested in the renovations to the property and surrounding area including the overall investment in equipment, fixtures, and other related items.

- b. The total number of years that a property or site, to be renovated by the applicant, has been vacant.
- c. How significant the upgrades or renovations to the property and surrounding area are, such as, but not limited to: the extent of renovations to an existing building or buildings; the extent of new construction of a building or buildings; and the extent of renovation(s).
- d. Whether or not the property to be improved has an environmentally friendly design and environmentally friendly production and waste management design and plan.
- e. The extent of upgrades and renovations to the landscaping, parking, lighting and to the site and surrounding area.

17) Status of State of Michigan licensure;

18) Security plan, including the extent of, and additions to or extra security measures taken above the minimum-security measures required under state law; the extent of, and additions to or other extra measures taken above the state minimum requirements for growing, processing, testing, transporting, or selling medical marihuana.

19) Any other consideration relevant to the public's health, safety, or welfare.

- b) Any application as reported to the city commission by the city manager, approved by a simple majority vote of the city commission, at a city commission meeting, shall be issued a city operating license, not to exceed the number of city operating licenses allowed for in section - .03 of this ordinance.
- c) City operating licenses are non-transferable and non-assignable and shall be specific to the licensee and the location authorized. A transfer of more than 50.0% ownership interest in a business entity operating a facility shall be deemed to be a transfer hereunder and is prohibited for licensure.

Section 18-296 – Violations, penalties, revocation.

- a) If an applicant or licensee fails to comply with this ordinance, if a licensee no longer meets the eligibility requirements for a license under this ordinance, or if an applicant or licensee fails to provide information the city requests to assist in any investigation or inquiry, the city manager may deny, suspend, or revoke a license
- b) Should marihuana cultivation, processing, testing, selling, extracting, or transporting cause property damage, personal injury, or other injury through explosion, fire, release of harmful substances, or any other event reasonably related to the cultivating, processing, testing, selling, extracting, or transporting marihuana, all people involved in or responsible for the marihuana cultivating, processing, testing, selling, extracting, or transporting are jointly and severally liable for all resulting damages. This includes, but is not limited to, expenses associated with the emergency response, property repair, remediation, medical expenses, marihuana disposal, and expenses related to discontinued use, and prosecution.
- c) The city manager may suspend a license without notice or hearing upon a determination by the

city manager that the public health, safety or welfare, or the safety or health of patrons or employees, is jeopardized by continuing a facility's operation. If the license is suspended without notice or hearing, a prompt post-suspension hearing must be held to determine if the suspension should remain in effect. The suspension may remain in effect until the city manager determines that the cause for suspension has been abated. The city manager may revoke the license upon a determination that the licensee has not made satisfactory progress toward abating the hazard. A license will automatically be revoked upon revocation or denial of a state operating license from the State of Michigan.

- d) Any party aggrieved by an action of the city manager suspending or revoking a license shall be given a hearing before the city commission upon request. A request for a hearing must be made to the city clerk's office, in writing, no later than twenty-one (21) days after service of notice of the action of the city manager by first-class mail. Service of notice begins on the date of mailing by first-class mail.
- e) The city may conduct investigative and contested case hearings; issue subpoenas for the attendance of witnesses; issue subpoenas duces tecum for the production of books, ledgers, records, memoranda, electronically retrievable data, and other pertinent documents; and administer oaths and affirmations to witnesses as appropriate to exercise and discharge the powers and duties of the state and/or city under the Acts and this chapter.
- f) In addition to the remedies provided herein, the city may file for injunctive relief to abate any violation hereof.
- g) Compliance with laws: All facilities must be operated in compliance with the Acts, all regulations promulgated under the Acts, and all other applicable federal, state, and local laws, regulations, and ordinances.
- h) No temporary certificates of occupancy. No Facility may operate under a temporary certificate of occupancy. Facilities must be in full compliance with all applicable legal requirements in order to operate.
- i) Termination of authorization. If a facility is operated in violation of the Acts or any applicable ordinance, or if the licensee is found to have submitted false or misleading information in its license application, the city may revoke the license for such facility to operate within the city. The city retains the right to alter the number and type of facilities authorized hereunder at any time. Any license granted hereunder is a revocable privilege granted by the city and is not a property or other legal right.
- j) Penalties. With respect to any facility that is in violation of any requirement or restriction set forth in this chapter, the licensee of a facility, all persons identified pursuant to MCL 333.27401(1)(b), and any on-site manager shall be subject to the following penalties:
 - 1) Any violation shall be a civil infraction of \$500, plus court costs and expenses. .
 - 2) The penalties set forth herein are non-exclusive and cumulative, and nothing herein shall be deemed to prevent city from enforcing any other applicable ordinance.
 - 3) Uncorrected violations may be ticketed every twenty-four hours.

- 4) In addition to the remedies provided herein, the city may file for injunctive relief to abate any violation hereof.
- k) Penalties for violation of --- 03 (K). Any violation of section – 03(K) by a primary caregiver or medical marihuana patient as defined by the MMMA shall be subject to the following penalties:
 - 1) Any violation shall be a civil infraction of \$500, plus court costs and expenses.
 - 2) The penalties set forth herein are non-exclusive and cumulative, and nothing herein shall be deemed to prevent city from enforcing any other applicable ordinance.
 - 3) Uncorrected violations may be ticketed every twenty-four hours.
 - 4) In addition to the remedies provided herein, the city may file for injunctive relief to abate any violation hereof.

Section 18-297 - Miscellaneous provisions

- a) Rights granted. The operation of a licensed marihuana facility is a revocable privilege and not a right, in conformance with applicable state law. Nothing in this ordinance is to be construed to grant a property right for an individual or business entity to engage in the use, distribution, cultivation, production, possession, transportation, or sale of marihuana as a commercial enterprise. Nothing in this ordinance may be held or construed to grant a vested right, license, permit, or privilege to continued operations within the city.
- b) Conflict of laws. Nothing in this chapter shall be construed in such a manner as to conflict with the MMMA, MMFLA, or other applicable state marihuana law or rules.
- c) Severability. If any section, subsection, paragraph, sentence, or word of this ordinance is deemed to be invalid by the courts, the invalidity of such provision shall not affect the validity of any other sections, subsections, paragraphs, sentences, or words of this ordinance or the application thereof; and to that end, the sections, subsection, paragraphs, sentences, and other words of this ordinance shall be deemed severable.
- d) Repealer. The adoption of this ordinance repeals the previously adopted 42.15 of the city code. To the extent that any other ordinance, or section or portion thereof, conflicts with or is inconsistent with this ordinance, that ordinance, or section or portion thereof, is hereby repealed.

Section 2. Severability. Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause. Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by

this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 6. Adoption. This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2021 and ordered to be given publication in the manner prescribed by law.

James Breuckman, City Manager

Amy M. Allison, City Clerk

MEMORANDUM

TO: Pleasant Ridge City Commission
FROM: Gregory K. Need
RE: Marijuana Ordinance
DATE: June 3, 2021

This is some background regarding a possible commercial Marijuana Ordinance for the City.

There have been inquiries to the City about locating recreational or medical marijuana facilities, including a possible petition drive for a commercial marijuana ordinance.

As you know, the City opted-out of recreational marijuana facilities by Ordinance No. 436 §2, adopted April 9, 2019. For a community that opts out, there are two ways for that decision to be reversed: 1) the City Commission adopts an ordinance repealing the opt-out; allowing a certain number of marijuana facilities; and specifying the procedure for licensing and regulation; or 2) by citizen petition, which is specifically allowed under the Michigan Regulation and Taxation of Marihuana Act (“MRTMA”). If qualified electors in a number greater than 5% of the votes for governor in the 2018 election sign a petition, then the question will go on the next regular election ballot.

Because the recreational marijuana statute is still relatively new, there have been several court cases filed but few that have reached any final decision, and none that have been appealed with a decision from the Court of Appeals that would constitute binding statewide precedent.

In my opinion, the City would be in a stronger legal position if we adopt our own ordinance before petitions are submitted with sufficient number of signatures for a citizen initiative. Of course, the Commission should also consider numerous non- legal policy aspects of locating marijuana facilities in the city.

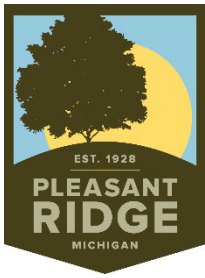
The draft ordinance provided is modeled after one that was adopted by the City of Hazel Park.

The ordinance allows: 1 Marijuana Microbusiness, 2 Marijuana Retailer or Provisioning Centers, 2 Safety Compliance Facilities, and 2 Secure Transporters. Unlike Hazel Park, this draft ordinance does not allow any growers, processors, or designated consumption establishments. All these categories are defined in the ordinance.

One key component of the draft ordinance is that it would require marijuana facilities to be located only in the W or C zoning districts, and more than 200 feet from any structure zoned or used for residential purposes. This would minimize negative effects on residential properties and would ensure that Pleasant Ridge’s residential character is not adversely affected by these facilities.

The draft ordinance also contains provisions for the growing of medicinal marijuana, limiting those to the user's own residence with certain limitations. It also requires that a licensed marijuana facility must possess both a medicinal marijuana and a recreational marijuana license. It also includes a comprehensive application structure, and criteria if there are multiple requests for licenses. As allowed by the state law, the ordinance also provides for a \$5000 application fee, which applies to the initial application and annual renewals.

If you have any questions prior to the Commission meeting please let Jim know and I will try to answer them in advance.



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
 To: City Commission
 Date: July 9, 2021
 Re: Summer Fun Run Resident Proposal

Overview

Gregg Leshman, a resident of the City, has proposed a Pleasant Ridge Summer Fun Run. Mr. Leshman has organized run events in the past.

The City has allowed events such as the Ferndale Foot Frolic to use City streets as part of their routes in the past, but those events only passed through the City for a portion of their route. We have not entirely hosted an event such as this within City limits, so we do not have experience with the issues and impacts of hosting such an event. We also do not have a sense of the participation that an event such as this might see. There is a large difference in the impacts that 50 participants can generate vs. 200, for example.

Background

The attached proposal documents provide an overview of Mr. Leshman's proposal. After reviewing the proposal and asking some follow up questions, the following is my overview of the proposal and what it would entail for the City:

- **Course.** The proposed courses for the walk and run are described in an attachment. The proposal requests closing the streets, which is a concern from both a manpower and a material standpoint. The City does not have enough barricades to close all of the streets, and we have limited manpower to close that many streets at one time for the event.

When I followed up with Mr. Leshman about this concern, his response was as follows:

"If permitted by the City, we do not have to close the streets; the roads in Pleasant Ridge are not that long and the duration of inconveniencing traffic would be minimal; we would have Course Marshals along the route at key locations, route directional signs, limited barricades and posted Event signs. I have extensive experience with the Detroit Free Press Marathon Start/Finish Line Operations and as the Race Director for a similar event in Southfield for 4 years."

Given our staffing and material limitations, I do not think it feasible for the city to close the entire course to traffic. Mr. Leshman noted that *"additional barricades can be rented from <http://www.statebarr.com>. Volunteers will be recruited as Course Marshals via local Social Media (PR pr – Residents of Pleasant Ridge, various local Running Groups)."*

- **Costs.** The City would be incurring additional costs for police overtime and the set up and cleanup work for this. This is not a budgeted expense and we questioned if those costs be reimbursed to us from the registration fees for the run? Mr. Leshman's response: *"Yes - Vibe Credit Union sponsorship funds and Registration Fees would be used to cover expenses. Remaining proceeds would benefit charitable organizations (i.e. Make A Wish Michigan, Pleasant Ridge Foundation)"*
- **Turnaround Time.** We were concerned that if the City Commission approves this event on July 13, scheduling the run for late July/early August seems like a quick turnaround. Mr. Leshman's response:

"The date is flexible; based on looking at the Events Calendar and Ridger- Aug. 7th is the City-Wide Garage Sale, Ridge Resale is Sat. Aug. 14th, Dream Cruise is Sat. Aug 21st. Perhaps Saturday or Sunday weekend of Aug. 7th – 8th or Aug 28th – 29th could be options. And morning vs evening times are flexible based on city preference. Once a date is chosen- there are several online running websites to promote the event on, local social media sites, local running groups websites, Pleasant Ridge Parks & Recreation distribution, other local partnerships."

Staff would feel most comfortable if enough lead time were provided to ensure that the event proceeds smoothly. With the City's event calendar, the weekend of August 28-29 would be our preference if this event is approved to proceed.

- **Course Set Up and Management Responsibility.** Staff wanted to confirm who would be responsible for creating, setting out, and cleaning up the finish signs and route markers. Mr. Leshman's response:

"Volunteers that I have worked with before and could recruit via local Social Media (PR pr – Residents of Pleasant Ridge, various local Running Groups)."
- **Parking.** It is unclear what kind of numbers we can expect to participate in this event, and how many of those would be non-residents who will drive to the event, so it is difficult to quantify what the parking impact would be. We do not have large parking facilities available, and what is available at 4 Ridge will most likely be occupied by race volunteers. The most likely scenario is that participants driving to the event will park on residential streets near 4 Ridge, similar to when we host a swim meet at the pool. In this case, the added complication is that those streets are part of the running course. This could be a significant logistical issue, and an impact on the residents of streets near to 4 Ridge. I have asked Mr. Leshman for further clarity on this point, which he can provide at the meeting on July 13.

City Involvement

Based on the above, it is my understanding that the City's involvement would be limited to:

- Facilitating registration through the City's recreation software & managing the transfer of registration fees to the race organizer.
- Providing additional police presence during the event for public safety (cost to be reimbursed by the race organizer).
- Providing use of the 4 Ridge bathrooms and site for start/finish.

All other tasks and expenses would fall to the race organizer and volunteers.

Conclusion

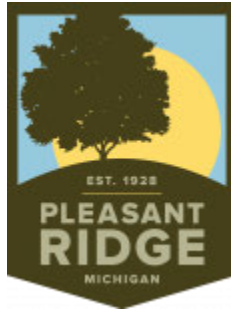
Given the uncertainties involved and our lack of experience with an event such as this that brings unknown numbers of non-residents to the City, Staff does not have a recommendation for how to proceed.

Ideally the information presented in Mr. Leshman's proposal documents, the further background information in this agenda summary, and the discussion with Mr. Leshman next Tuesday will provide enough clarity for the City Commission to arrive at a decision. If there are still uncertainties, or discomfort with the potential impacts of an event such as this, Staff would recommend that the City Commission withhold approval until adjustments can be made by Mr. Leshman to address any concerns.

Requested Action

City Commission consideration of the proposed Summer Fun Run event proposal.

Proposal - Pleasant Ridge Summer Fun Run



From: Gregg Leshman, Race Director (Run as One Productions, LLC)

[REDACTED]

To: Jim Breuckman, City Manager

Date: June 14, 2021

OBJECTIVE: Host an organized fun run through the streets of Pleasant Ridge with the collaboration, cooperation and permission of the City of Pleasant Ridge.

BACKGROUND EXPERIENCE & QUALIFICATIONS:

- ❖ Detroit Free Press Marathon (7 Years)
 - Start Line Director 2009 – 2010
 - Start & Finish Line Director 2011 – 2015
- ❖ Birmingham Bike Festival (4 Years)
 - Volunteer & Operations Director 2011 inaugural year – 2014
- ❖ Southfield Summer Soulstice 5K Run (7 Years)
 - Race Founder & Director 2014 – 2020

STORY: I moved to Pleasant Ridge in July 2020. For the past 12 years I have been directly involved in assisting, improving, organizing, creating and collaborating with various groups, city agencies, and private individuals to host and conduct organized running and biking events in host cities. I created the Summer Soulstice Run in 2014 in honor of the Summer Solstice (June

21st) to host an evening sunset fun run. If the City of Pleasant Ridge is receptive, I would love to coordinate efforts to bring an organized fun run to the Community.

CITY INVOLVEMENT:

Select a date and time that works best (morning or preferably evening to coincide with a later sunset run) preferably in July or August.

- ❖ Recommend- Fri. night July 30 / Sat. July 31st (AM or PM) / Sun. Aug 1st (AM or PM)

Mayor & City Commission- review, discussion, concerns, approval

Recreation- host the Start/Finish Line in the main parking lot and use facilities for restrooms, changing rooms.

Police- assist with street closures as needed and general public safety

Public Works- assist with street closures as needed

RUN ROUTE: Separate attachment- 6 page PowerPoint Presentation outlining the Start/Finish Line area at the Recreation Center and Turn-by-Turn directions with pictures and street names. First Complete Option is a 2.2 Mile Route; also Option for a 3.3 Mile Route.

ADVERTISING & MARKETING:

- ✓ Working on new logo for presentation that will include the official City logo and the name- Summer Fun Run, Distance and Date all incorporated (with lead sponsor- see below)
- ✓ [PR pr – Residents of Pleasant Ridge, Michigan share community news](#)- Facebook Page
- ✓ City Website/Events- https://cityofpleasantridge.org/community_groups/events
- ✓ RIDGER- Summer Edition (if not too late...)
- ✓ [Summer Soulstice Run](#)- Facebook Page
- ✓ [Gregg Leshman](#)- Facebook Page
- ✓ Woodward Talk – C&G Newspapers

SPONSORSHIPS AND COMMUNITY INVOLVEMENT:

Vibe Credit Union has been the lead Sponsor of the Soulstice Run since its inception. They've committed to a \$2,000 - \$3,000 Sponsorship for this year based on the Sponsorship Package (includes logo on marketing materials, event displays, social media posts, etc.)

Would like to include as many local businesses as possible and community groups that are interested in participating. Ideas include-

- ✓ Treat Dreams – ice cream food truck or “April” (Independent ice cream truck driver)
- ✓ [Affirmations](#) – David Garcia (Executive Director) allow promotion in exchange for email list distribution and event coverage
- ✓ [PRIDE Ferndale](#)- Julie Guide (Executive Director) allow promotion in exchange for email list distribution and event coverage
- ✓ [Soles 4 Souls](#)- promote participants bring shoes they want to donate
- ✓ Proceeds to Charity- my alignment is deep with [Make-A-Wish Michigan](#); other consideration- [City of Pleasant Ridge Foundation](#)
- ✓ More Ideas.....

REGISTRATION: Recommend the following:

- Create a Register Online Portal through the Recreation Dept. link
 - <https://cityofpleasantridge.org/recreation/register-online>
 - Payment can be discussed with the City Commission; typically events are between \$35 - \$55++/entry; depending on race offering such as: officially measured routes (5k- 3.1 miles; 10k- 6.2 miles); official timing with encoded bib chips; Finisher swag- medal, shirt, variety of giveaways.
 - Recommendation- set-up donation links to Make-A-Wish Michigan and/or City of Pleasant Ridge Foundation with a recommended amount of \$25.00.
 - On-site day of registration is allowed: Check or Cash Donations
 - Child registration (under 13 years) no charge
 - Participants are encouraged to bring any types of shoes they want to donate to Soles4Souls.
- If the event becomes a big hit for next year- we can enlist the services of [Enmotive Michigan](#) – a professional race organization host site that can take online registrations, payments, assist with state-wide marketing, record/post race times, photos, etc.

LIABILITY: All participants would have to agree to this language, or language the City Commission states acceptable.

By indicating your acceptance signature, by registering, you understand, agree, warrant and covenant as follows:

I hereby release and hold harmless on behalf of myself, my child, and/or representatives, Gregg Leshman, Run as One Productions LLC, City of Pleasant Ridge, the event sponsors and organizers from liability for injuries or damages which I or my child may sustain while participating in this activity even if the injuries are caused by the sole negligence of the event organizers and sponsors. I understand that I am responsible

for medical coverage for me and my child. Athlete Signature (or Parent, if under 18): _____

QUESTIONS: Suggested FAQ

- Can I walk the route? Yes, however a time limit of 30 minutes until the course is closed
- Can I bring a stroller? Yes
- Can I bring my dog? Yes, dogs must remain on a leash and handler must be responsible for pet waste pickup.
- Can my Child Participate? Yes, however not recommended for children under 13 years of age.
- Will there be water on the course? Yes, at the 1 Mile mark
- Will there be a restroom on the course? No, only at the Start/Finish Line
- Where can I park? There is limited parking at the Recreation Center. Additional street parking is located nearby. All parking rules must be followed in accordance with City law.
- Is the race timed? Officially No. Participants are encouraged to track their own timing.
- What if I fall or need assistance on the course? Participants are encouraged to have a cell phone and call 911.
- Will the course be marked? Yes, yard signs will be at each turn
- If I'm not a Pleasant Ridge Resident, can I still use the Pool? No. However, you may use the restrooms.
- Will there be medals and shirts or other Finisher giveaways? No. This is a first-time event with low registration fee requirements. And with State of Michigan in-person gatherings just recently approved, pre-planning was limited until state mandates were removed. There will be Finish Line drinks and light snacks provided to run participants.
- Can I track a participant on-line? No. There will not be computerized chip tracking.
- Can I Volunteer for this event? Yes, please contact the Recreation Dept. to add your name. We are looking for: Course Marshalls, Mid-Course Water Station Helpers, and Start/Finish Line Helpers.



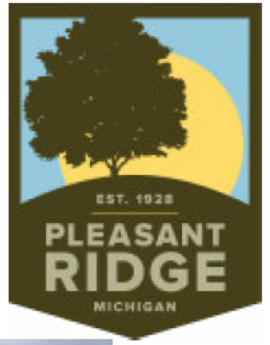
[REDACTED]

[REDACTED]

- Ideas for More....?

Pleasant Ridge Summer Fun Run

START / FINISH LINE – Recreation Center



- Registration Sign-in * Water station * Banners * Finish Fluids & Snacks * Restrooms and changing rooms inside Rec. Ctr. * Large branded square cardboard cutout for Social Media postings (participants hold up with others taking the picture)



Submitted By: Gregg Leshman, Race Director (Run as One Productions, LLC) 6/14/21

Pleasant Ridge Summer Fun Run (2.2 Mile Route)

Pleasant Ridge Summer Fun Run x City of Pleasant Ridge Michigan x +

mapmyrun.com/routes/view/4428930244

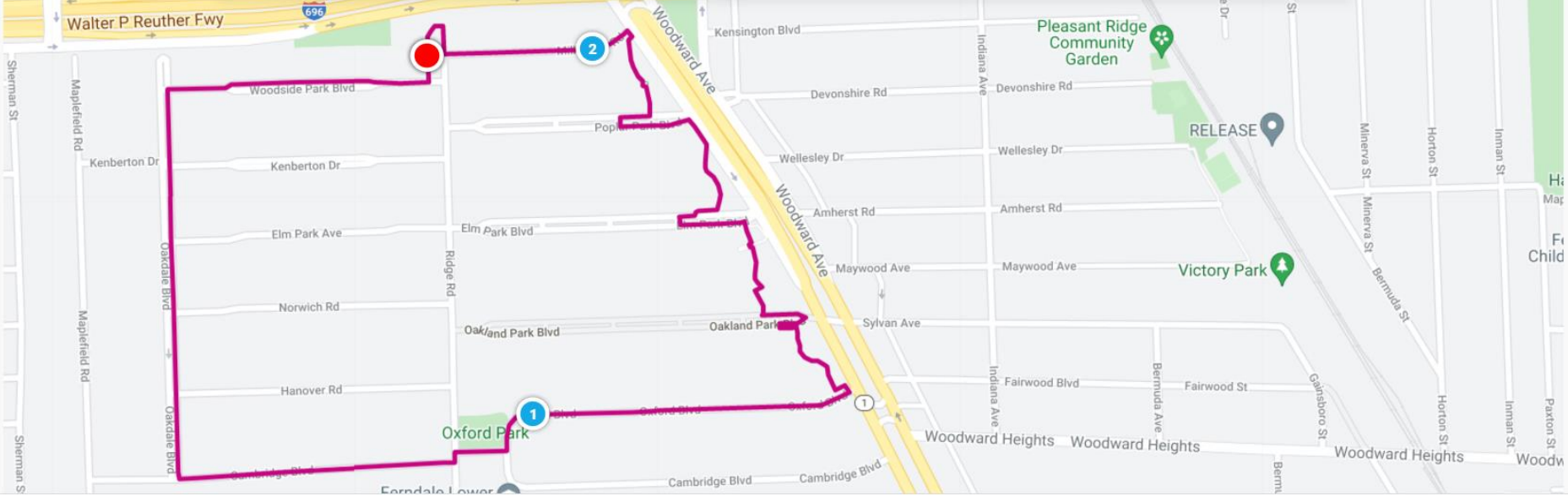
Apps MyFitnessPal Imported From IE

Gregg Leshman Friends

RUN PLEASANT RIDGE, MI, UNITED STATES 3.00 MI 29 FT

PLEASANT RIDGE SUMMER FUN RUN (2.2 MILES)

BOOKMARK LOG WORKOUT ADD TO WEBSITE SHARE MORE



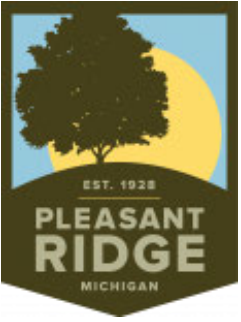
The map displays a 2.2-mile running route in Pleasant Ridge, Michigan. The route is marked with a pink line and numbered 1 and 2. It starts at a red dot on Woodward Ave, goes south on Woodward Ave to Cambridge Blvd, then west on Cambridge Blvd to Oxford Park, then north on Oxford Park to Elm Park Ave, then east on Elm Park Ave to Kenberton Dr, then north on Kenberton Dr to Woodside Park Blvd, then east on Woodside Park Blvd to a red dot on Woodward Ave. The route is located near the intersection of Woodward Ave and Cambridge Blvd. Other streets shown include Sherman St, Maplefield Rd, Kenberton Dr, Elm Park Ave, Norwich Rd, Hanover Rd, Cambridge Blvd, Woodward Ave, Kensington Blvd, Devonshire Rd, Wellesley Dr, Amherst Rd, Maywood Ave, Sylvan Ave, Fairwood Blvd, Bermuda Ave, Fairwood St, Gainsboro St, Horton St, Inman St, and Parton St. Landmarks include Pleasant Ridge Community Garden, Victory Park, and RELEASE. The route is 3.00 miles long and has an elevation of 29 feet.

Vibe Credit Union...png Website Cover Ph...png

Show all x

Type here to search

1:23 PM 6/13/2021



EST. 1928
**PLEASANT
RIDGE**
MICHIGAN



Pleasant Ridge Summer Fun Run (2.2 Mile Route)

TURN-BY-TURN

Turn 1



Right on Woodside

Turn 2



Left on Oakdale

Turn 3



Left on Cambridge

Turn 4



Cross Ridge

Water Station (Hessel Park)



1 Mile mark (half-way)



Turn 5



Left on Oxford



Pleasant Ridge Summer Fun Run (2.2 Mile Route)

Turn 6



Left into Stevenson Park



Turn 7



Cross Oakland Park Blvd. & Thru City Hall Parking Lot



Turn 8



Cross Elm Park Blvd.

Turn 9



Cross Poplar Park Blvd.



Left along path into Park



Pleasant Ridge Summer Fun Run (2.2 Mile Route)



Turn 10



Left on Millington

Turn 11



Sidewalk back to Street

Turn 12



Right on Ridge

Into Finish Line!!



(Large START / FINISH Line Banner hung
between 2 tall light poles)

