

**CITY OF BELLEVILLE
REGULAR CITY COUNCIL MEETING
AGENDA
Monday, March 20, 2023 - 7:30 pm**

The City of Belleville City Council has elected to utilize a hybrid of in-person and virtual access through "Zoom" to the regularly scheduled City Council Meeting. This model is intended to facilitate all persons who wish to participate in the City Council Meeting. For those who wish to participate via Zoom, the information is listed below.

Join Zoom Meeting

<https://us02web.zoom.us/j/82369028343?pwd=SIBxTXp3YlA0SVNBcnhOQ0ViYy9uUT09>

Meeting ID: 823 6902 8343

Passcode: 210746

One tap mobile

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+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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Meeting ID: 823 6902 8343

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Find your local number: <https://us02web.zoom.us/j/kd78SpONQf>

1. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

2. ROLL CALL

3. PRESENTATIONS & CITIZENS COMMENTS

A. Presentations

- Fire Department Promotions
 - i. Chris Zweng – Chief II
 - ii. Aaron Zehel – Captain (C1)
 - iii. Richard Landskroener – Lieutenant (L1)

B. Council Follow Up List

C. Citizen Comments on Non-Agenda Items

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES

A. March 6, 2023 Regular Meeting of the City Council

6. PUBLIC HEARING

- None

7. INTRODUCTION OF ORDINANCES

- General Marijuana Ordinance
- Marijuana Zoning Ordinance

8. GENERAL BUSINESS DISCUSSION

A. Special Event Application – Cub Scout Pack 793 Flower Sales

B. Special Event Application – Fill the Boot for Autism

C. Date Selection – Budget Meetings

9. ACCOUNTS PAYABLE AND DEPARTMENTAL EXPENDITURES

10. CITY MANAGER COMMENTS

11. CITY COUNCIL MEMBER COMMENTS

12. MAYOR'S COMMENTS

13. CITIZENS COMMENTS

14. ACTION ITEMS FOR NEXT REGULARLY SCHEDULED MEETING

15. ADJOURNMENT

Belleville City Council Meeting Follow-up List										
	Issue Name / Description	Date Opened	Opened by	Proposed Action	Assigned to	Status Date	Due Date	Date Closed	Updated by Team Member	Details
1	Marijuana Licensing/Research		Dave	Guidance to path forward	Dave	3/20/2023			Dave	Ordinance introductions 3/20 public hearing/adoption 4/3 meeting
2	Main & Liberty Street Repair	3/7/22	Voight	Repair Cement	Rick	3/20/2023			Rick	Temporary repairs continue to be made. Full repairs will be dependant on Denton Bridge construction needs .
3	Harbor Pointe Road Conditions	4/19/21	Voight		Rick	3/20/2023			Rick/Dave	Researching Bonding, Special Assessments, MDOT Loans in order to find a path to finance resurfacing.

4	DTE streetlight upgrades	4/19/21	Council		Dave	3/20/2023			Dave	DTE - waiting for updated quotes for upgrading old lights. Re-contact has been made, time-table undetermined as they wait on upcoming special pricing programs
5	Recodification of Ordinances	7/18/16	Council		Steve	3/20/2023	5/1/22		Steve	Municode quotes received, quotes from Giffel-Webster for ClearCode received and being reviewed.
6	Veterans' Memorial	3/4/20			Dave	3/20/2023			Dave	Veterans Memorial upgrading ineligible for CDBG funding. Alternative sources will be sought
7	Charter Revisions	8/3/20	Jesse Marcotte		Dave	3/20/2023			Council/ Dave	Upon completion of ordinance adoption, Special Council will advise on the next steps to begin Charter Revision.
8	Park Maintenance	9/6/22	Bates		Dave	3/20/2022			Dave /DDA	DDA initiative with city support

9	Playground Equipment repair and upgrades	9/6/22	Bates		Rick	3/20/2023				Rick	Slide Parts recieved- Victory park - installation being scheduled.Child swing was temporarily repaired and new swings ordered
10	City Road Repair List	12/19/22	Council		Rick	3/6/2023				Rick/Dave	DPW Director working on completing a road assessment report to council.

CITY OF BELLEVILLE
REGULAR CITY COUNCIL MEETING MINUTES
Monday, March 6, 2023 - 7:30 pm

The regular meeting of the City Council was held via a hybrid of in-person and virtual access through ZOOM.

The regular meeting of the Belleville City Council was called to order by Mayor Conley at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

2. ROLL CALL

Council Member Bates	Absent
Council Member Beebe	Present
Council Member Fielder	Present
Mayor Pro-Tem Voigt	Present
Mayor Conley	Absent

3. APPOINTMENTS, PRESENTATIONS & CITIZENS COMMENTS

A. Presentations

- None

B. Council Follow Up List

- No comments.

C. Citizen Comments on Non-Agenda Items

- No comments.

4. APPROVAL OF AGENDA

MOTION: Motion by Fielder, supported by Beebe to approve the agenda as presented.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

5. APPROVAL OF MINUTES

A. February 21, 2023, Regular Meeting of the City Council

MOTION: Motion by Fielder, supported by Beebe to approve the Minutes of the Regular City Council Meeting held on Tuesday, February 21, 2023.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

6. **PUBLIC HEARINGS**

- None.

7. **INTRODUCTION OF ORDINANCES**

- None.

8. **GENERAL BUSINESS DISCUSSION**

A. Special Event Application – K of C Tootsie Roll Fundraiser

MOTION: Motion by Beebe, supported by Fielder to approve the Special Event Application for the K of C Tootsie Roll Fundraiser.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

B. Resolution # 23-008 – City Wide Yard Sale

MOTION: Motion by Fielder, supported by Beebe approving **Resolution # 23-008** designating the dates of this year's City Wide Yard Sale as September 9th and 10th.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

C. Special Event Application – Goat Day

MOTION: Motion by Beebe, supported by Fielder to approve the Special Event Application for Belleville Goat Day.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

D. Discussion – BHS Girls Dance Team Adoption of 4th Street Square and Place

MOTION: Motion by Fielder, supported by Beebe approving adoption of 4th Street Square and Place for cleanup by the Belleville High School Dance Team.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

9. ACCOUNTS PAYABLE AND DEPARTMENTAL EXPENDITURES

MOTION: Motion by Fielder, supported by Beebe to approve **Resolution #23-009** authorizing Accounts Payable and Departmental Expenditures as presented.

ROLL CALL VOTE:	Council Member Beebe	Aye
	Council Member Fielder	Aye
	Mayor Pro-Tem Voigt	Aye

Motion Carried.

10. CITY MANAGER COMMENTS

- City Manager Robinson stated that the City Council and the DDA have both agreed to bring the goats back to Horizon Park in June, as opposed to August.
- Is hopeful that the DDA will approve replacement of trash receptacles and benches throughout the City.
- Noted there is currently a Request for Proposals in the works for design of the renovations at Victory Station. He stated that once the proposals are received, they will need to go before the Planning Commission. There will also be a ground breaking ceremony held at the building to mark the start of the construction.
- Reminded everyone that this Thursday the Planning Commission will hold a Public Hearing on the proposed Zoning and General Ordinances regarding marijuana establishments in the City.
- Commented that the City Administration hopes to start the process to amend the City Charter soon.
- Mentioned that the City is slated to receive \$51,000 in tax revenue generated this year from the sole licensed marijuana facility.

11. CITY COUNCIL MEMBER COMMENTS

- Council Member Beebe
 - Asked if we could receive data from People's Express to see how many people are utilizing the service.
 - Asked if there were any updates on obtaining a left-turn light at the intersection of Denton/Main St./N. Liberty.
 - Thanked the City employees who keep resetting the traffic cones that get knocked down at the Denton Rd. bridge closure.
 - Recognized two Belleville High School wrestlers who placed third in the recent wrestling competition. He also mentioned the team's coach, who won Coach of the Year.
- Council Member Fielder
 - Reminded everyone that the Robotics Competition will be held at Belleville High School beginning next Friday, at 11 a.m.
 - Noted that there will be a Planning Commission meeting this Thursday, March 9th, with two significant projects slated to be discussed.
 - Noted that the DDA meeting will be held next Wednesday, March 15th, at 6 p.m.

- Stated that Ms. Fryske, a teacher at Belleville High School, will be launching a program for the school's Freshman students that will provide academic support. The program will take place on Thursdays.
- Noted that Career Day at BHS will be taking place soon.

12. MAYOR PRO-TEM'S COMMENTS

- Mayor Pro-Tem Voigt thanked everyone in attendance at the meeting.
- Noted that the Belleville Area Museum will be holding a meeting on March 16th at 6 p.m.

13. CITIZENS COMMENTS

- Unknown Resident
 - Noted that the road conditions in the Harbour Pointe subdivision are horrible, and would like to see the City address them.
- Alan Folkes
 - Noted that there is an Olympic-style Tae Kwon Do State Competition taking place this weekend.

14. ACTION ITEMS FOR NEXT REGULARLY SCHEDULED MEETING

- None

15. ADJOURNMENT

MOTION: Motion by Beebe, supported by Fielder to adjourn at 8:12 p.m.
No objections were noted.

Motion Carried.

Briana Hootman / City Clerk

Approved:

Posted:

Published:

CITY OF BELLEVILLE ORDINANCE
NO. 23- 002

ORDINANCE TO AMEND INITIATED ORDINANCE NO. 2020-0001 IN LIGHT OF
CITIZEN INITIATED CHARTER AMENDMENT PASSED AT NOVEMBER 8, 2022
ELECTION

THE CITY OF BELLEVILLE ORDAINS:

Article 1: Ordinance No. 2020-0001 is hereby amended in light of the citizen initiated charter amendment passed at the November 8, 2022 election to read, in its entirety, as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to authorize and regulate within the City the business operations of persons licensed by the State to operate Marihuana Establishments consistent with the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 et seq (MRTMA)., the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26424 et seq (MMMA), and the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281 as amended, MCL 333.27102 et seq, and to do all of the following:

1. Provide adults eighteen (18) years of age and older safe access to medical marihuana and adults twenty-one (21) years of age and older safe access to adult-use (recreational) marihuana;
2. Ensure the safety of the general public;
3. Provide for an application fee to apply for a provisional license for a marihuana establishment or facility and a fee for any local approvals granted to be renewed;
4. Provide for a process to select local applicants to receive local approvals for marihuana establishments and facilities;
5. To provide for a process for those local approvals to be renewed, or potentially denied or revoked;
6. Comply with the Michigan law in order to protect and enhance the public health, safety, and welfare;
7. Address and repair the harm caused to communities disproportionately impacted by the prohibition of marihuana through the promotion of employment and business ownership opportunities within these communities;
8. To bring marihuana businesses into the city that demonstrate commitment to advance the broader interest and goals of the community through high-impact local investment, and that

provide employment opportunities to local residents and contractors; and

9. To provide for, if enacted by the city council, a community benefits program in the city to benefit individuals disproportionately impacted by marihuana prohibition.

Nothing contained within this Ordinance, or within any local approval issued by the City, shall be construed to relieve a person of the duties and obligations imposed under state laws and regulations. Notwithstanding the foregoing, it is not the intent of this Ordinance to diminish, abrogate or restrict protections for the medical use of marihuana provided in the MMMA, MMFLA, or MRTMA.

Nothing in this Ordinance is intended to grant individuals immunity from the enforcement of federal laws prohibiting marihuana activity. The provisions of this Ordinance are regulatory in nature and not intended to be interpreted as zoning laws.

The provisions of this Ordinance are severable and self-executing.

This Ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City.

SECTION 2. DEFINITIONS

All definitions provided in the MRTMA, MMFLA and MMMA are incorporated by reference into this Ordinance, and the term “marijuana” shall be synonymous with the term “marihuana.” As used in this Ordinance, the following terms shall be defined as follows:

1. “Agency” is defined as the state Cannabis Regulatory Agency or any successor agency.
2. “Application Date” is defined as the date on which the Local Applicant submits its application to the City for a single License Type at a Business Address or for a License renewal.
3. “Business Address” means the singular United States postal address, for a building structure located atop a Land Parcel, where a Marihuana Establishment or Facility is proposed to be located for a License Type listed in an application to the City. The existing square footage of the building structure at the Business Address shall solely be used for measuring the square footage of the Business Address.
4. “Business Adjacent Address” means the singular United States postal address of a building structure which is physically adjoining or directly physically touching the building structure of a Business Address. Physically adjoining shall, for the purposes of this definition, mean the physical connection through walls, adjacent walls, or a common building structure, though this definition shall not include any common road, foundation, or surface that the building structure sits on.
5. “City” shall refer to the City of Belleville.

It shall not be considered a municipal license.

9. "Clerk" means the City Clerk of the City of Belleville.
10. "Co-location" or "co-located" means the siting and operation of a combination of multiple establishments, facilities or establishment or facility types at a single location, but with separate business suites, partitions, or addresses as required under State Law.
11. "Council" means the City Council of the City of Belleville.
12. "Designated Consumption Establishment" is defined as a business licensed by the Agency to permit adults twenty-one (21) years of age and older to consume marihuana products at a Business Address indicated on the Agency license.
13. "Equivalent licenses" means any of the following held by a single licensee:
1. A marihuana grower license, of any class, issued under the act and a grower license, of any class, issued under the MMFLA.
 2. A marihuana processor license issued under the act and a processor license issued under the MMFLA.
 3. A marihuana retailer license issued under the act and a provisioning center license issued under the MMFLA.
 4. A marihuana secure transporter license issued under the act and a secure transporter license issued under the MMFLA.
 5. A marihuana safety compliance facility license issued under the act and a safety compliance facility license issued under the MMFLA.
14. *Excess marihuana grower* means a license issued by the Agency to a person holding five class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments or facilities.
15. "Land Parcel" or "Parcel" shall be defined as a land parcel, with an associated tax identification number, allocated by the appropriate governmental body, whose official records are held by the Clerk, the Register of Deeds, or other appropriate governmental body, for the purposes of tracking the use of land within the City.
16. "Local Applicant" is defined as an individual, entity, person, or persons who submits an application for a License Type to the City.
17. "License Type" is defined as a single category of a license a Local Applicant can apply for,

such as a microbusiness license, a marihuana retailer license, a cultivation or grower license, or other license that a Local Applicant can apply for through the processes set forth in this Ordinance.

18. "Licensee" means a person holding a state operating license for a marihuana establishment or facility.
19. "Marihuana" means all parts of the plant genus cannabis, growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp.
20. "Marihuana establishment" means a marihuana grower, marihuana safety compliance establishment, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by LARA under the MRTMA.
21. "Marihuana event organizer" means a person licensed to apply for a temporary marihuana event license under the Emergency Rules.
22. "Marihuana facility" means a location at which a licensee is licensed to operate under the MMFLA.
23. "Marihuana grower" means a person licensed by LARA to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments or facilities.
24. "Marihuana microbusiness" means a person licensed by LARA to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance establishment, but not to other marihuana establishments.
25. "Marihuana processor" means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments or facilities.
26. "Marihuana provisioning center" means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a registered primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan Medical Marihuana Act is not a provisioning center for purposes of this Ordinance.

27. “Marihuana retailer” means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities and to sell or otherwise transfer marihuana to marihuana establishments or facilities and to individuals who are 21 years of age or older.
28. “Marihuana secure transporter” means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities in order to transport marihuana to marihuana establishments or facilities.
29. “Marihuana safety compliance establishment” or “facility” means a person licensed by LARA to test marihuana, including certification for potency and the presence of contaminants.
30. “MMFLA” is defined as the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 et seq.
31. “MMMA” is defined as the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq.
32. “MRTMA” is defined as the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 et seq.
33. “Percentage Occupancy” or “Percentage Occupied,” or “Occupancy Percentage,” which may be used interchangeably in this Ordinance, shall be defined as the occupancy percentage of a Business Address for the calendar year immediately prior to the Application Date, or, if applicable, of the calendar year starting no earlier than six months prior to the Application Date if the requirements of Section 2(u)(4) are met, and shall consist of the percentage occupancy of any buildings, structures, or units contained within the Parcel upon which the Business Address sits for the calendar year immediately prior to the Application Date.

The Percentage Occupancy shall be calculated using the average square footage of any buildings, structures, or units contained within the Parcel upon which the Business Address sits that is occupied during the calendar year immediately prior to the Application Date, utilizing a method determined by the Clerk.

The method of determining Percentage Occupancy shall be subject to the following requirements of this Ordinance:

A. Construction activity, renovation activity, or storage activity in the buildings, structures, or units of the Business Facility Address shall not be considered occupancy or counted as part of a Business Address’s Percentage Occupancy. However, storage units which are part of commercial storage businesses where rent is paid for the use of a storage space shall be considered occupancy and shall count towards Percentage Occupancy.

B. The determination of “Percentage Occupancy” or “Percentage Occupied” shall require an Occupancy Affidavit, and if possible, provide supporting documentation attesting to the occupancy of any buildings, structures, or units contained within the Parcel upon which the Business Address sits for the calendar year immediately prior to the Application Date.

For the purposes of issuing a Provisional License, the City shall verify the Percentage Occupancy

of the property through an Occupancy Affidavit and, if possible, other supporting documentation which may include, but not be limited to, lease documents, purchase agreements, certificates of occupancy, utility bills, and other documentation that can show the occupancy level over the time period.

Notwithstanding the requirements of this section, if a Local Applicant submits an Occupancy Affidavit that is dated no earlier than six (6) months prior to the Application Date attesting to the Occupancy Percentage of the Business Address, and if the Local Applicant submits an additional notarized affidavit within ten (10) days of the Application Date attesting that there has been no change in the Percentage Occupancy since the date the Occupancy Affidavit was first signed, the Local Applicant will be deemed to meet the requirements of the “calendar year immediately prior to the Application Date” Percentage Occupancy definition.

34. “Occupancy Affidavit” is defined as a sworn affidavit from the owner of a Land Parcel or the authorized representative designated by the owner of the Land Parcel for this purpose, attesting to the Occupancy Percentage of any buildings, structures, or units contained within the Land Parcel upon which the Business Address sits for the calendar year immediately prior to the Application Date, subject to the requirements of Section 2 (u) of this Ordinance.

35. “Prequalification step or prequalified” means the portion of the application for a state operating license pertaining to the applicant’s financial background and the criminal history of the applicant and other associated persons, as provided by Emergency Rule 6.

36. “Stakeholder” means the following for each type of Local Applicant:

- A. For an individual or sole proprietorship: the proprietor.
- B. For a partnership and limited liability partnership: all partners.
- C. For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of ten percent (10%) or less and who does not exercise control over or participate in the management of the partnership.
- D. For a limited liability company: all members and managers.
- E. For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors, and all stockholders, not including those holding a direct or indirect ownership interest of ten percent (10%) or less.
- F. For a publicly held corporation: all corporate officers or persons with equivalent titles, all directors, and all stockholders, not including those holding a direct or indirect ownership interest of ten percent (10%) or less.
- G. For a nonprofit corporation: all individuals and entities with membership or shareholder

rights in accordance with the Articles of Incorporation or their bylaws.

37. “Stand Alone Business Address” is defined as a Business Address that does not have a Business Adjacent Address and where the proposed Business Address is physically separated from areas where smoking or the use of cannabis is prohibited, not including the Business Address in question, and where smoke or the smell of cannabis does not infiltrate into nonsmoking areas or buildings that are not part of the Business Address. This shall be demonstrated by a site plan or preliminary sketch submitted by the Local Applicant in Section 5 (13).

38. “Vacant Land Parcel” is defined as a Land Parcel that does not contain a structure that had previously received a certificate of occupancy from the City or that could receive a certificate of occupancy from the City.

39. “Worker-Owned Cooperative” is defined as a business that is organized or registered under Subchapter T or another applicable section of the Internal Revenue Code and for which all of the following is true:

A. There is democratic control of the business by the workers or employees of the business themselves; and

B. The workers or employees of the business comprise over fifty (50) percent of the ownership of the business.

SECTION 3. ACTS PROHIBITED

1. No person shall operate a Marihuana Establishment or Facility in the City without first obtaining a relevant City Full License Authorization pursuant to the MRTMA, MMMA and MMFLA and in accordance with the provisions of this Ordinance and the City’s Zoning Ordinance. A separate City Full License Authorization is required for each Marihuana Establishment and Facility.

SECTION 4. AUTHORIZATION OF MARIHUANA ESTABLISHMENTS (RECREATIONAL)

1. Except as provided herein and pursuant to the MRTMA, MMMA and MMFLA, only the following number of state licensed Marihuana Establishments may be authorized to operate within the City boundaries subject to this Ordinance:

A. Marihuana Safety Compliance Facility - zero (0) licenses

B. Marihuana Secure Transporter - zero (0) licenses

C. Marihuana Microbusiness - zero (0) licenses

- D. Marihuana Retailer - two (2) licenses
- E. Marihuana Processor - one (1) license
- F. Class A Marihuana Grower – zero (0) licenses
- G. Class B Marihuana Grower – zero (0) licenses
- H. Class C Marihuana Grower – five (5) licenses
- I. Designated Consumption Establishment - two (2) licenses

2. There shall be no more than a total of four (4) unique Business Addresses at which a Marihuana Retailer or a Designated Consumption Establishment may operate, provided that more than one of these License Types may be located at the same Business Address, and that the co-location of a Marihuana Retailer and a Designated Consumption Establishment at a Business Address shall not count towards more than one (1) of the total limit of four (4) unique Business Addresses allowed to operate within the City for these License Types.

3. *Co-location and stacked licenses.* Co-location and stacked grower licenses are prohibited.

4. *Final authorization from City required.* The authorization process described in this Ordinance determines the locations in the City at which establishments may operate. A proposed establishment is not eligible to operate until the Clerk or the Clerk's designee grants final authorization and until the applicant receives a special land use permit under the City's Zoning Ordinance and all required approvals and licenses from LARA.

SECTION 5. AUTHORIZATION OF MARIHUANA FACILITIES (MEDICAL)

1. Except as provided herein and pursuant to the MRTMA, MMMA and MMFLA, only the following number of state licensed Marihuana Facilities may be authorized to operate within the City boundaries subject to this Ordinance:

- A. Medical Marihuana Safety Compliance Facility - zero (0) licenses
- B. Medical Marihuana Secure Transporter - zero (0) licenses
- C. Medical Marihuana Provisioning Center - two (2) licenses
- D. Class A Medical Marihuana Grower – zero (0) licenses
- E. Class B Medical Marihuana Grower – zero (0) licenses
- F. Class C Medical Marihuana Grower – zero (0) licenses

2. *Final authorization from City required.* The authorization process described in this Ordinance determines the locations in the City at which facilities may operate. A proposed facility is not eligible to operate until the Clerk or the Clerk's designee grants final authorization and until the applicant receives a special land use permit under the City's Zoning Ordinance and all required approvals and licenses from LARA.

SECTION 6. LICENSE APPLICATIONS

1. *Timing of Submission.* Within any application window established under subsection 3(c), a person may apply for authorization to operate an establishment or facility within the City by complying with the requirements of this section.
2. *Required Application Materials.* An application is not considered complete until all of the following are received by the City Clerk or the Clerk's designee:
 - A. A nonrefundable application fee in an amount established by resolution of the City Council.
 - B. An advance of the annual administrative fee established in this Ordinance.
 - C. A photocopy of a valid, unexpired driver's license or state issued identification card for all owners, directors, and officers of the proposed establishment.
 - D. A signed application (available in the Clerk's office), which must include all of the following information and documents:
 - I. If the applicant is an individual, the applicant's name; date of birth; physical address, including residential and any business address; copy of government-issued photo identification; email address; one or more phone numbers, including emergency contact information;
 - II. If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking representative as an emergency contact person; contact information for the emergency contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;
 - III. The name, address, tax identification number, and current zoning designations of the proposed marihuana establishment or facility;
 - IV. The name and address of the current property owner of record;

V.If the current property owner is different than the applicant (e.g. where the applicant has a lease, option, land contract, or other present or future interest in the property), the property owner's signature is required in addition to the applicant's.

- a. An applicant may submit applications for multiple properties.
- b. Multiple applicants may submit applications for a single property, but only one licensee may be authorized to operate on a single property.

VI.The proposed establishment or facility type;

VII.A complete list of all marihuana permits and licenses held by the applicant;

VIII.A location area map of the marihuana establishment or facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana establishment's building) to the closest real property comprising a public or private elementary, vocational or secondary school;

IX.A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MRTMA, MMMA or MMFLA;

X. "Commitment to Community" statement that demonstrates the Local Applicant's intent to advance the broader interest and goals of the community through local investment. This Commitment to Community statement shall outline the Local Applicant's intentions regarding the hiring of local residents and the employment of local contractors and local workers for improvements to its Business Address, and its intentions for re-developing vacant, blighted, underutilized, and abandoned property through investments in its Business Address.

XI. A social equity plan that details how the Local Applicant plans on furthering the social equity objectives of this Ordinance in terms of promoting business and employment opportunities for communities that have been disproportionately impacted by marihuana prohibition.

XII. The completion of a "Security Plan Checklist" that contains answers to the following questions along with supporting documentation:

- a. Does the Local Applicant have a security plan to prevent minors from obtaining access to marihuana at the Business Facility Address? If so, provide supporting documentation.
- b. Does the Local Applicant have a security plan designed to deter potential robbery and theft from the Business Address? If so, provide supporting documentation.

XIII. The completion of a “Public Health Plan Checklist” that contains answers to the following questions along with supporting documentation:

- a. Will the Local Applicant require that the employees at its Business Address wear Personal Protective Equipment, including gloves, when handling marihuana and marihuana products? If so, provide supporting documentation.
- b. Does the Local Applicant have a public health plan to educate its customers about the potentially harmful side-effects of using marihuana in combination with other substances and to warn its customers about potential negative health effects of individuals with specific health conditions from using marihuana? If so, provide supporting documentation.
- c. Does the Business Address of the Local Applicant contain an existing ventilation system that is not also utilized by a non-marihuana establishment or other non-marihuana business and where the ventilation system directs air from the Marihuana Establishment or Facility to the outside of the building through a filtration system sufficient to remove visible smoke if applicable, consistent with all applicable building codes and ordinances and adequate to eliminate odor at the boundary line of the Business Address? If so, provide supporting documentation.

XIV. Any other information reasonably requested by the City relevant to the processing or consideration of the application.

3. *Application receipt period set by resolution.* For any establishment or facility type subject to numerical limitations under Sections 4 and 5 for which licenses are available, the City shall establish an application receipt period by resolution.
4. *Clerk action upon receipt.* The Clerk or the Clerk’s designee will accept and receive any complete application that includes the information and documents required by this Ordinance and that is received during any applicable application receipt period. Upon receiving a complete application, the Clerk or the Clerk’s designee will, upon request by the applicant, time- and date-stamp the application and inform the applicant of the following:
 - A. The number of existing establishments or facilities of the proposed type currently operating within the City;
 - B. The number of pending applications for the desired establishment or facility type; and
 - C. The process by which an applicant will be selected pursuant to subparagraph (5).

5. *Conditional authorization and competitive process.* The Clerk or the Clerk's designee will conditionally authorize establishments or facilities as follows:

A. If, after close of business on the end date of the application receipt period, the City has received more applications for a given establishment or facility type than would be permitted under Sections 4 and 5, the City will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MRTMA, MMMA and MMFLA in the City. The City will provide applicants with twenty-one (21) calendar days' notice that the applicants must provide supplemental written information and documentation to the City indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; current marihuana license status; and history of compliance with City and state regulations associated with existing marihuana licenses held in the City, if applicable.	Twenty (20) points
Human resources, including the number of full-time equivalent employees; the percent of such employees that are residents of the City; and the proposed minimum rate of pay for all employees.	Ten (10) points
Area impact, including the proximity of the establishment or facility to properties zoned or used residentially; consistency with surrounding land uses; impact on traffic, parking, public safety, noise, and aesthetics; and plans for litter control, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	Twenty (20) points

B. Upon timely receipt of the supplemental information described in subparagraph (1), the City Council or its designee shall assign points for the criteria that are satisfied pursuant to the chart in subparagraph (1) and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MRTMA, MMMA and MMFLA in the City. The City shall notify the selected applicants that they have been granted conditional authorization. In the event of a tie score, the City Council shall select the applicant who, based on the totality of the circumstances, the City finds is best suited to operate in compliance with the MRTMA, MMMA and MMFLA.

C. If an applicant does not timely submit the supplemental information described in subparagraph (1), then the application shall be discarded and shall not be considered under subparagraph (2).

D. For any establishment or facility type not subject to numerical limits under Sections 4 or 5, or otherwise not subject to the competitive process described in subsection (5)(A), the Clerk or the Clerk's designee will conditionally authorize establishments or facilities in the order in which applications are received.

E. Once the Clerk or the Clerk's designee has issued conditional authorizations for all of the establishments or facilities of a given type that would be permitted under Section 4 or 5, the Clerk or the Clerk's designee will place subsequent applications at the end of the waiting list for that establishment or facility type. Applications shall be included on the waiting list in the order designated by the City Council or its designees under subparagraph (B).

6. *Final authorization.* The Clerk or the Clerk's designee will grant final authorization for the establishment or facility if the applicant:

A. Submits an application for special land use authorization pursuant to the City Zoning Ordinance within 30 days after receiving conditional authorization;

B. Obtains special land use authorization within 12 months after receiving conditional authorization; and

C. Receives all required operating licenses and approvals from LARA within 18 months after conditional authorization is granted.

7. *Expiration of conditional authorization.* If the applicant for a conditionally authorized establishment or facility fails to satisfy any of the deadlines established above, the conditional authorization will expire. The City Council may extend any of the deadlines by resolution upon a showing of good cause.

8. *Waiting list and refund of administrative fee.* The Clerk or the Clerk's designee will keep and maintain the waiting lists established pursuant to subsection (5) until the maximum number of establishments or facilities of the type to which the list pertains are operating in the City (at which time the Clerk or the Clerk's designee will discard the waiting list). If a conditional authorization for a proposed establishment or facility of that type expires, the Clerk or the Clerk's designee will conditionally authorize the next application on the waiting list. Upon discarding the waiting list, the Clerk or the Clerk's designee will refund the advance of the annual administrative fee to all applicants remaining on the waiting list.

9. *Newly available authorizations.*

A. For establishment or facility types for which the maximum number of establishments or facilities specified in Section 4 or 5 are operating in the City, an authorization will become available when:

I. The state operating license for an establishment or facility with final authorization expires or is revoked by LARA; or

II. This Ordinance is amended to authorize additional establishments or facilities of that type.

B. When an authorization becomes available as described in subsection (9)(A), the City Clerk or the Clerk's designee will select a date within the next 90 days on

which the City will begin accepting applications from interested persons, and will publish notice of the selected date in a newspaper of general circulation in the City.

C. On the selected date, the Clerk or the Clerk's designee will begin accepting applications using the same process described in subsections (3) and (4) above. If multiple applications are received on that date, the City Council or its designee will request supplemental information and conduct a competitive selection process as outlined above.

SECTION 7. FEES

The City shall establish a nonrefundable application fee to be paid upon filing any application for a Marihuana Establishment or Facility by a Local Applicant. The amount of the application fee may be set by Council resolution

A licensee must pay an annual fee of \$5,000 for each license used within the City to help defray administrative and enforcement costs. The initial annual fee(s) must be paid to the City when the application for City approval is submitted. In each subsequent year, fees are due on the date on which the licensee submits an application to LARA for renewal of the state operating license. The annual fee may be reduced by resolution of the City Council.

SECTION 8. LICENSE REQUIREMENTS

A license under this Ordinance shall be subject to the following conditions:

1. Compliance with the requirements of this Ordinance
2. Compliance with the provisions of the MRTMA, MMMA, MMFLA and any rules promulgated thereunder;
3. Marihuana Establishments and Facilities shall only operate between the hours of 9:00 AM and 9:00 PM daily.
4. Notwithstanding this requirement, grower or cultivation licensees may operate 24 hours per day,
5. Marihuana Microbusinesses may operate from 7:00 AM until 12:00 AM,
6. Designated Consumption Establishments may operate from 9:00 AM until 2:00 AM, and a Marihuana Retailer that is co-located with a Designated Consumption Establishment may operate from 9:00 AM until 12:00 AM.
7. Equivalent Licenses. Equivalent licenses may be operated at the same location within City, subject to this Ordinance and to the extent permitted by state law.

- A. When a licensee holds equivalent licenses for a single property, each facility or establishment counts as a separate facility or establishment under this Ordinance.
- B. Each licensed facility or establishment must meet all other requirements of this Ordinance, other City ordinances, and the City Zoning Ordinance. A separate application, application fee, and annual fee are required for each proposed licensed facility or establishment with equivalent licenses.

SECTION 9. LICENSES GENERALLY

1. A license that is issued under this Ordinance shall be posted at all times inside the Marihuana Establishment or Facility in a conspicuous location near the entrance.
2. Except as provided in this Ordinance, the term of a license shall be for one (1) calendar year subject to renewal by the City Council upon continued compliance with this Ordinance.
3. Licensees or Conditional License holders may transfer a License issued under this Ordinance to a location at a different Business Address upon receiving written approval from the City Council and pursuant to any applicable requirements under the MRTMA, MMMA and MMFLA, the City's Zoning Ordinance, and relevant rules promulgated by the Agency. In order to request City approval to transfer a License to a new Business Address, the licensee must make a written request to the Clerk, indicating the current location of the Marihuana Establishment or Facility and the proposed new Business Address. Notwithstanding this section, a Microbusiness license may not be transferred to any other Business Address within the City.
4. Licensees may transfer a License or conditional license issued under this Ordinance to a different individual or entity subject to approval of the City Council. The transfer must comply with the MRTMA, MMMA, MMFLA, and any applicable rules promulgated thereunder, and shall not require approval by the Agency. The new Local Applicant or individual owner must notify the City by filing an application with the Clerk upon a form provided by the City or, if such a form is unavailable, shall complete the information required in this Ordinance for and file such information with the Clerk. The City Council shall grant the new licensee the same rights as the previous licensee. The Local Applicant that receives the transfer of the license shall remain legally bound by any commitments made in the original application to the City that governed the original issuance of the license it is receiving by transfer.

Notwithstanding the requirements of Section 9(1), (2), (3), or (4), neither a Marihuana Microbusiness Provisional License nor a Marihuana Microbusiness City license may be transferred to anyone with an ownership percentage by Individuals Disproportionately Impacted by Marihuana Prohibition that is less than the ownership percentage of the Local

- Applicant who was originally awarded the license to be transferred.
5. Notwithstanding the requirements of this Ordinance, the provisions of this Ordinance dependent upon Occupancy Percentage shall not apply to any renewal applications or to any transfer applications for a license.
 6. Pursuant to the City's Charter, a Marihuana Retailer licensed by the City (Conditional or final) shall be permitted to convert its license to a Medical Marihuana Provisioning Center (or vice versa) if all of the following conditions are met:
 - A. There are available authorizations for the requested Establishment or Facility Type pursuant to Sections 4 and 5 of this Ordinance.
 - B. Licensee provides an application fee of \$5,000.
 - C. Licensee is not in default to the City and otherwise complies with all applicable state and local laws and regulations

Application for a license conversion shall be made in writing to the Clerk. An application for a Provisional License renewal or a City Full License Authorization renewal required by this Ordinance shall be made under oath on forms provided by the Clerk. This renewal form shall be developed by and made available by the Clerk.

SECTION 10. RENEWALS

1. Licenses shall be valid for one (1) calendar year from the date they are issued
2. Application for a license renewal shall be made in writing to the Clerk at least ninety (90) days prior to the expiration of an existing license. Licenses shall be renewed annually. A Conditional License may automatically be renewed for one (1) calendar year by a Local Applicant upon paying a five thousand dollar (\$5,000) annual renewal fee provided that it adheres to the requirements in Section 12 of this Ordinance.
3. An application for a License renewal required by this Ordinance shall be made under oath on forms provided by the Clerk. This renewal form shall be developed by and made available by the Clerk.
4. An application for a License renewal shall be accompanied by a renewal fee, which shall be set by resolution of the City Council, but shall not exceed five thousand dollars (\$5,000).
5. A renewal shall be deemed approved if the City has not issued a formal notice of denial within sixty (60) days of the renewal date.

SECTION 11. LICENSE REVOCATION OR SUSPENSION.

Each Marihuana Establishment or Facility within the City for which a License is granted shall be operated and maintained in accordance with all applicable laws, rules, and regulations in

the City and State. Upon any material violation of this Ordinance that a Local Applicant has failed to remedy after being provided with sufficient time to make the correction, the Clerk may, after a notice and hearing, revoke or suspend such license as hereinafter provided.

SECTION 12. CRITERIA FOR NONRENEWAL, SUSPENSION, OR REVOCATION OF LICENSE

In addition to any other reasons set forth in this Ordinance, the City may refuse to issue a license or grant renewal of the license or suspend or revoke the license for any of the following reasons:

1. A violation of any provision of this Ordinance, MRTMA, MMMA, MMFLA or any other state or local law or regulation that a license holder has failed to remedy after being provided with sufficient time to make the correction. Failure to meet the requirements of Section 12 (1) of this Ordinance shall be considered a material violation of this Ordinance.
2. The inability of the licensee to obtain or maintain a license from the Agency pursuant to the MRTMA, MMMA or MMFLA within two (2) calendar years after the issuance of a Conditional License, subject to reasonable extensions for cause by the City Council.

SECTION 13. PENALTY

1. A person or entity who violates any of the provisions of this Ordinance shall be responsible for a municipal civil infraction punishable by a civil fine of no more than five hundred (\$500.00) dollars.
2. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect, and any other provisions of ordinances or City regulations or City Resolutions that conflict with this Ordinance are inapplicable to conduct authorized under this Ordinance.
3. This Ordinance shall become effective ten (10) days after adoption and publication pursuant to the City's Charter.

SECTION 14. SEVERABILITY AND EXECUTION

The various parts, sections and clauses of this Ordinance are hereby declared to be severable and self-executing. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid as to any person or circumstance by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and that invalidity or unenforceability shall not affect the validity, enforceability, or application of any other portion of this Ordinance.

SECTION 15. EFFECTIVE DATE

This Ordinance shall take effect 10 days after its adoption and publication pursuant to the City's Charter.

Ordinance **23-002** adopted by the City Council on _____

ADOPTED, APPROVED AND PASSED by the City Council of the City of Belleville this
_____ day of _____, 2023.

KERREEN CONLEY, Mayor

BRIANA HOOTMAN, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Belleville at a regular Council Meeting on the _____ day of _____, 2023.

BRIANA HOOTMAN, City Clerk

I further certify that the foregoing was published in the Belleville Area Independent, a newspaper of general circulation in the City of Belleville, on the _____.

BRIANA HOOTMAN, City Clerk

Within forty-five (45) days after publication of any ordinance duly passed by the Council, a petition may be presented to the Council protesting against such ordinance continuing in effect. Said petition shall contain the text of such ordinance and shall be signed by not less than six percent (6%) of the registered electors registered at the last preceding election at which a Mayor of the City was elected. Said ordinance shall thereupon and thereby be suspended from operation and the Council shall immediately reconsider such ordinance.

Introduced:
Published:
Enacted:
Published:
Effective:

88108:00001:6831092-1

CITY OF BELLEVILLE
ORDINANCE NO. 23-003

AN ORDINANCE TO AMEND THE CITY OF BELLEVILLE ZONING ORDINANCE

THE CITY OF BELLEVILLE ORDAINS:

Article 1: Section 2.2 of the City’s Zoning Ordinance is hereby amended in light of the citizen initiated charter amendment passed at the November 8, 2022 election to add/amend the following definitions (any definitions not amended by this Ordinance shall remain unchanged):

“Agency” is defined as the state Marijuana Regulatory Agency or any successor agency.

“Co-location” or “co-located” means the siting and operation of a combination of multiple establishments, facilities or establishment or facility types at a single location.

“Designated Consumption Establishment” is defined as a business licensed by the Agency to permit adults twenty-one (21) years of age and older to consume marihuana products at a Business Address indicated on the Agency license.

“Excess marihuana grower” means a license issued by the Agency to a person holding five class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments or facilities.

“Licensee” means a person holding a state operating license for a marihuana establishment or facility.

“Marihuana” means all parts of the plant genus cannabis, growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp.

“Marihuana establishment” means a marihuana grower, marihuana safety compliance establishment, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by LARA under the MRTMA.

“Marihuana event organizer” means a person licensed to apply for a temporary marihuana event license under the Emergency Rules.

“Marihuana facility” means a location at which a licensee is licensed to operate under the MMFLA.

“Grower” means a person licensed by LARA to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments or facilities.

“Microbusiness” means a person licensed by LARA to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance establishment, but not to other marihuana establishments.

“Processor” means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments or facilities.

“Provisioning center” means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a registered primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan Medical Marihuana Act is not a provisioning center for purposes of this Ordinance

“Retailer” means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities and to sell or otherwise transfer marihuana to marihuana establishments or facilities and to individuals who are 21 years of age or older.

“Secure transporter” means a person licensed by LARA to obtain marihuana from marihuana establishments or facilities in order to transport marihuana to marihuana establishments or facilities.

“Safety compliance establishment” or “facility” means a person licensed by LARA to test marihuana, including certification for potency and the presence of contaminants.

“MMFLA” is defined as the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 et seq.

“MMMA” is defined as the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq.

“MRTMA” is defined as the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 et seq.

“Separation Distance Measurements” shall mean the distance computed by measuring a straight line from the nearest property line of the parcel used for the purposes stated in this ordinance to the nearest property line of the parcel used as a marihuana facility or establishment.

Article 2: Section 3.1.15 of the City’s Zoning Ordinance is hereby amended in light of the citizen initiated charter amendment passed at the November 8, 2022 election to read, in its entirety, as follows:

A. **INTENT** The purpose and intent of the Industrial Overlay district is to provide a location for permitted marihuana establishments and facilities in the city in a manner that is consistent with State law and which promotes the health, safety, comfort, convenience, and general welfare of the residents and businesses within the city. This area, identified on the City of Belleville's Zoning Map, is intended to provide reasonable access for marihuana establishments and facilities and minimize the potential public health, safety, and nuisance impacts of such uses on local residents and businesses. This area is designated to minimize adverse impacts of marijuana establishments and facilities on adjacent properties, residential neighborhoods, schools and other locations where minors congregate. In addition, this area is designated to minimize environmental impacts that can accompany the cultivation and processing of marihuana. Nothing in this chapter shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance; or allow any activity relating to the cultivation, manufacturing, testing, distribution or consumption of marihuana that is otherwise illegal under Michigan law.

B. **PERMITTED USES** This overlay allows the uses permitted by right and by special land use as provided in the underlying zoning districts. In addition, marihuana establishments and facilities licensed by the City are principal permitted uses, pursuant to the standards in Section 4.40 and obtaining site plan approval as provided in Section 6.1.

C. **DEVELOPMENT STANDARDS** The development standards and all other standards in the underlying district apply.

D. **CONFLICT** Whenever any provision of this Section imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance or by another provision of this Zoning Ordinance, then the provisions of this Section shall govern.

Article 3: Section 4.40 of the City's Zoning Ordinance is hereby amended in light of the citizen initiated charter amendment passed at the November 8, 2022 election to read, in its entirety, as follows:

4.40 MARIHUANA ESTABLISHMENTS & FACILITIES

1. Purpose. It is recognized by this Chapter that certain unique uses cannot easily be evaluated in the same manner as other uses because of their potential to adversely affect public health, safety and welfare; establish a public nuisance; conflict with the character of a neighborhood; impair the social and economic well-being of neighboring properties; impair the general development of an area; or operate in a manner contrary to the purpose and intent of this Chapter. However, when properly regulated, these uses can make a positive contribution to the economic vitality of the city. Therefore, it is the purpose of this Article to impose reasonable regulations upon certain uses to provide an adequate approval process while moderating their potential adverse effects on surrounding and neighboring properties.

2. Applicability. Any land use that requires a license from the Department of Licensing and Regulatory Affairs (LARA) in the administration of Michigan Medical Marihuana Facilities Licensing Act (MMFLA), Michigan Regulation and Taxation of Marihuana Act (MRTMA) or other state law providing for the sale, transport, testing, growing, distribution, and processing of marihuana

or any other activity involving a marihuana-related use shall require review and approval pursuant to Article 6. Any facility or establishment not specifically authorized in this Ordinance or Ordinance No. 2023- ____ is prohibited.

3. Approval Procedures for Marihuana Establishments and Facilities.

A. Zoning approval. Zoning approval shall be required prior to issuance of any license. Zoning approval does not guarantee a license for any proposed facility or establishment.

B. License required. Licensing for marihuana establishments and facilities is required per Ordinance No. 2023- ____, Section 5 of General Code.

4. Zoning review application requirements. Zoning applications for marihuana establishments and facilities shall be submitted as required in Section 6.1. In addition, the following information is also required:

A. As provided in Section 6.1, a site plan is required, showing the proposed building(s) to be used, remodeled or reconstructed, along with the parking, landscaping and lighting plans. Existing and proposed building elevations shall be provided, including building materials, window glazing calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations.

B. A plan for general waste disposal, chemical disposal and plant waste disposal.

C. A notarized statement by the property owner that acknowledges use of the property for a marihuana facility or establishment and agreement to indemnify, defend and hold harmless the City, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a marihuana facility or establishment. Written consent shall also include approval of the owner and operator for the City to inspect the facility or establishment at any time during normal business hours to ensure compliance with applicable laws and regulations.

D. A copy of official paperwork issued by LARA as follows: paperwork indicating that the applicant has successfully completed the prequalification step of the application for the state operating license associated with the proposed land use, or proof that the applicant has filed such application for the prequalification step with LARA, including all necessary application fees.

E. Proof of an adequate premise liability and casualty insurance policy in the amount not exceeding the requirements addressed in the MRTMA, MMFLA or applicable State laws, covering the marihuana establishment or 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;.

F. A map, drawn to scale, containing all schools within one thousand (1,000) feet of the proposed location. Distances shall be measured in accordance with the Separation Distance Measurements, as defined in Section 2.2.

G. Security Plan. A security plan shall address security measures related to the transportation and disposal of product and employee and customer safety. Video surveillance is required, and the camera system shall be equipped with software allowing local authorities to login securely to cameras remotely. The Belleville Police Department shall review the security plan prior to acceptance of the application and shall approve the plan prior to the Planning Commission public hearing. At a minimum, the security plan shall address the following:

i. All marihuana waste shall be disposed of in a manner consistent with federal, state, and local laws so that the marihuana waste is destroyed properly and rendered unusable. All waste containers must be maintained within the secure facility and must be equipped with

locks and tamper resistant seals until they are removed by an authorized waste disposal company.

ii. To the extent applicable, the security plan should include additional strategies for onsite protection from power outages, fire, chemical spills, and address other applicable issues such as storage, access control, credentialing, security officers, cameras, alarms, and internal theft.

iii. The plan shall address surveillance methods, access control strategies, territorial reinforcement, maintenance, and target hardening; including the experience of customers, employees, and neighbors (residents, offices, businesses, etc.).

iv. An explanation of how the video surveillance system will be operated, including who is responsible for monitoring the video footage and storing any video recordings.

v. A diagram showing where all cameras are located and assigning a number to each camera for identification purposes. The diagram shall be to scale and shall be correlated with a camera index for all assigned cameras. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises and allows for the clear and certain identification of any person and activities in all areas required to be recorded. Cameras must be placed in all rooms with exterior windows, exterior walls, and roof hatches. Entrances and exits to the premises or site shall be recorded from both indoor and outdoor vantage points. Parking areas shall also be recorded. Recording distance/range of each camera should be identified on the site plan.

vi. Areas where marihuana products are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises shall be recorded, as well as limited access areas, security room(s) and area storing the surveillance system storage device.

vii. Licensed retailers shall record point-of-sale areas and areas where marihuana products are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling marihuana products or selling marihuana products, or any person in the retail area, with enough clarity to determine identity.

H. Operations and Management Plan. An operations and management plan shall be submitted. The plan should describe security measures in the facility or establishment; this may include the movement of the product, methods of storage, cash handling, etc.

I. All permitted facilities and establishments shall be bonded to guarantee that all accounting and taxes are paid in full according to the law and that the operation or facility performs in accordance with all government standards.

5. Separation Distances. It is recognized that these uses which, because of their very nature, have serious objectionable operational characteristics, and that separation distances are necessary from certain uses as described in this Section.

A. No marihuana facilities or establishments are permitted within one thousand (1,000) feet of the following uses: K through 12 public or private school building.

B. A provisioning center or retailer may not be located within 150 feet of a one-family or multiple-family dwelling unless the owner of the dwelling signs a waiver of this requirement in a form acceptable to the City and records the waiver with the Wayne County Register of Deeds.

6. General requirements for marihuana establishments and facilities. In addition to all requirements of Ordinance No. 2023- ____ and any other requirements of this Zoning Ordinance

or Township Ordinances, and any conditions imposed by the Planning Commission, all marihuana facilities and establishments must comply with the following requirements:

A. Unless otherwise permitted by law, consumption of marihuana shall only be permitted in designated consumption facilities, and a sign shall be posted on the premises of each other facility or establishment type indicating that consumption is prohibited on the premises.

B. Residential uses within the same structure/building are prohibited.

C. Outdoor storage or discharge of toxic, flammable or hazardous materials into city sewer or storm drains is prohibited. No marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.

D. No marihuana facilities or establishments shall be operated in a manner that creates noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the facility or establishment is operated.

E. Interior construction and design of a facility or establishment shall not impede the future use of a building for other uses as permitted in the zoning district.

F. Ventilation, by-product and waste disposal, and water management (supply and disposal) for the facility or establishment will not produce contamination of air, water, or soil; or reduce the expected life of the building due to heat and mold; or create other hazards that may negatively impact the structure and/or surrounding properties.

G. Parking facilities.

i. Parking lots adjacent to public or private streets shall be screened from the road with a thirty-inch (30") high decorative brick, stone or other decorative masonry wall complementing the adjacent buildings. A continuous evergreen hedge or decorative ornamental fence with landscaping may be allowed with Planning Commission approval.

ii. Parking located in the rear or side yards adjacent to residential districts shall be screened with a four- to sixfoot-high decorative brick, stone or other masonry wall complementing the adjacent buildings.

H. Air contaminants must be controlled and eliminated by the following methods:

i. The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all air contaminants prior to leaving the building. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three (3). The filter (s) shall be rated for the applicable CFM.

ii. Air scrubbing and filtration system must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.

iii. Negative air pressure must be maintained inside the building.

iv. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.

v. The building official may approve an alternative odor control system, in accordance with the Michigan Mechanical Code, if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal to or better than the air scrubbing and carbon filtration system otherwise required.

I. Screening for Parks and Open Space. All marihuana facilities or establishments shall be screened along any lot line adjacent to a public or private park or open space by a six (6) foot high masonry screenwall and evergreen screening. The screenwall shall have a decorative finish facing the park or open space and the evergreen screening, shall be planted on the park or open space side

of the wall such that the wall is mostly obscured. There shall be no building entrances of any kind facing a park or open space area.

J. Building entrances. For buildings fronting on Savage Road, the primary building entrance for customer and deliveries shall not be on the side facing Savage Road.

7. Specific requirements for marihuana retailers, provisioning centers, microbusinesses and designated consumption facilities. Such uses shall be presented as being for retail purposes for the general public. The sale or dispensing of alcohol or tobacco products is prohibited. On-site parking shall be provided for such uses consistent with retail stores as required in Section 5.1.2.

A. Hours of operation. No marihuana retailer, provisioning center, microbusiness or designated consumption facilities shall be open to the public between the hours of 8 p.m. to 8 a.m. unless otherwise permitted in the Section 8 of general code, Ordinance No. 2023- ____ .

B. Facility Exterior. The exterior appearance of a facility or establishment must be compatible with surrounding businesses and any descriptions of desired future character, as described in the Master Plan. Building element standards in Section 3.1.7.E apply to marihuana retailers, provisioning centers, microbusinesses and designated consumption facilities in order to promote a vibrant, safe and comfortable district.

i. No marihuana or equipment used in the sale, testing or transport of marihuana can be placed or stored outside of an enclosed building. This section does not prohibit the placement or storage of motor vehicles outside of an enclosed building so long as money or marihuana is not left in an unattended vehicle.

ii. Site and building lighting shall be sufficient for safety and security, but not cause excessive glare or be designed so as to be construed as advertising with the intent to attract attention. Outdoor lighting shall comply with Section 5.13.

iii. Drive-through facilities, temporary and mobile facilities or establishments are prohibited.

C. Facility Interior.

i. Neither marihuana nor marihuana infused products may be placed within twenty (20) feet of the front façade.

ii. Interior security measures other than security cameras shall not be visible from the public right-of-way (e.g. security shutters, bars, or other methods) during operating business hours.

iii. Interior lighting shall not be so bright so as to create a nuisance to neighboring property owners or passersby.

iv. The interior of the facility or establishment must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the facility or establishment.

v. The public or common areas must be separated from restricted or non-public areas.

vi. Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.

vii. Cultivation must be conducted in a manner to minimize adverse impacts on the City's sanitary sewer system.

8. Specific requirements for Marihuana Safety Compliance Facilities or Establishments,

Secure Transporters, Processors and Growers.

A. Shall have a secured growing, processing, laboratory space and marihuana storage areas that cannot be accessed by the general public.

B. Have appropriate education, training and/ or experience to comply with state regulations on testing medical marihuana.

C. There shall be no other accessory uses permitted within the same facility or establishment other than those permitted in Sections 4.3 and 4.4 of General Code.

D. Marihuana that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms.

E. Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.

F. Cultivation, processing and other operations must be conducted in a manner to minimize adverse impacts on the City's sanitary sewer system.

9. Violations.

A. A marihuana facility or establishment shall not be granted a state operating license until the findings and approvals of this Section are completed.

B. Civil infraction. It is unlawful to disobey, neglect, or refuse to comply with any provision of this Chapter. A violation is a municipal civil infraction. Each day the violation continues shall be a separate offense. Notwithstanding any other provision of this ordinance to the contrary, violators shall be subject to fines as determined by the City Council.

C. Failure to comply with the requirements of this Section shall be considered a violation and may jeopardize the site plan approval and/or license. The City may seek other appropriate and proper remedies, including actions in law or equity.

D. Consumption. Unless otherwise permitted in a licensed designated consumption establishment or by law, it shall be a violation of this Chapter for smoking, inhalation, or other consumption of marihuana, or for a person to knowingly allow this behavior to take place on or within the premises of any facility or establishment. All of the following will give rise to the rebuttable presumption that a person allowed the consumption of marihuana on or within the premises:

- i. The person had control over the premises or the portion of the premises where the marihuana was consumed;
- ii. The person knew or reasonably should have known that the marihuana was consumed; and
- iii. The person failed to take corrective action.

10. Loss of State Operating License. If at any time an authorized facility or establishment violates this Chapter or any other applicable City ordinance, the City Commission may request that LARA revoke or refrain from renewing the facility's or establishment's state operating license.

A. Revocation of site plan approval. Any approval granted for a facility or establishment may be revoked or suspended for any of the following reasons:

- i. Revocation or suspension of the licensee's authorization to operate by LARA.
- ii. A finding by LARA that a rule or regulation has been violated by the licensee.

After an automatic revocation of a site plan approval, a new site plan review application shall

be required for a facility or establishment to commence operation at the same location.

B. Failure to obtain state license. In addition to the requirements in this chapter, if the applicant fails to obtain the necessary license from LARA within the one (1) year approval period or any extension, the site plan approval shall expire.

C. Cessation of operations. Cessation of operations for one (1) year, including failure to maintain state licenses necessary to engage in the approved land use is cause for revocation of the site plan approval.

11. State Law. Nothing in this Chapter shall be construed in such a manner as to conflict with the MMMA, MMFLA, MRTMA, or other applicable state marihuana law or rules.

12. Federal Law.

A. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with that Act and the General Rules.

B. Also, since Federal law is not affected by that Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. The Michigan Acts do not protect users, caregivers or the owners of properties on which the use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act.

Article 4: The various parts, sections and clauses of this Ordinance are hereby declared to be severable and self-executing. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid as to any person or circumstance by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and that invalidity or unenforceability shall not affect the validity, enforceability, or application of any other portion of this Ordinance.

Article 5: This Ordinance shall take effect 10 days after its adoption and publication pursuant to the City's Charter.

Ordinance **23-003** adopted by the City Council on _____

ADOPTED, APPROVED AND PASSED by the City Council of the City of Belleville this _____ day of _____, 2023.

KERREEN CONLEY, Mayor

BRIANA HOOTMAN, City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Council of the City of Belleville at a regular Council Meeting held on the _____ day of _____, 2023.

BRIANA HOOTMAN, City Clerk

I further certify that the foregoing was published in the Belleville Area Independent, a newspaper of general circulation in the City of Belleville, on the _____.

BRIANA HOOTMAN, City Clerk

Introduced:
Published:
Enacted:
Published:
Effective:

88108:00001:6881109-1

City of Belleville
Special Event Application



PLEASE NOTE:

Applicant or their chosen representative must be present at the City Council Meeting when this application is presented

General Event Information	
Name of event:	Cub Scout Pack #793 Flower Sales
Describe the purpose of the event	The boys will be selling potted Easter flowers from Garden Fantasy Greenhouse. With the profits, the boys plan to use it for their summer camp this year at Camp D-Bar-A in Metimoria, MI.
Name of organization sponsoring event:	Boy Scouts of America, Cub Scout Pack 793, Belleville, MI 48111
Complete address of sponsoring organization: (PO Boxes are not acceptable)	BSA Ann Arbor Service Center 3914 Bestech Drive Ypsilanti, MI 48197
Website of organization:	https://michiganscouting.org/
List of activities associated with the event (i.e. parades, vendors, concerts, etc.) *Attach additional documentation if necessary*	none.
If there are any unusual activities planned or anticipated as a result of this event, list them here: (i.e. large groups of people, protests, gun salutes, fireworks, etc.)	none.
Location & Schedule	
Location(s) of event	4th St. Square
**Note: Emergency lanes allowing for public safety access must be available at all times. **	

City of Belleville



Special Event Application

Location & Schedule (continued)	
Actual operational dates and hours of event	April 2, 2023
If additional dates are required for setup and tear-down, list them here:	none
Beginning time of event (including setup time)	7:30am (8am flower sales start)
Ending time of event (including tear-down time)	5:30 (5pm flower sales end)
Funding	
How will this event be funded?	This event is a sale of flowers.
Who will be compensated for goods or services that support this event?	Cub Scout Troop #793
Will the City of Belleville be reimbursed for any services rendered?	☐ Yes ☒ No
Have you applied for and been granted an insurance policy for this event?	☐ Yes ☒ No (If yes, please attach a copy of the policy)
Public Safety / Public Services	
Approximate number of participants expected:	No more than 5 paterons at a time.
What is the plan for parking?	We hope to be busy, but what is downtown and behind the square.
How will this event be staffed/supervised?	Parents, leaders and pack members will be supervising in shifts from 8a-5p
Will event require assistance from Police, Fire, or EMS?	☐ Yes ☒ No
If this is a multi-day event, please describe how goods/supplies that may be left on site overnight will be stored and secured:	N/A
Will this event require the closure of any City streets?	☐ Yes ☒ No (If yes, please attach a map that clearly indicates which streets will be closed, and when)

City of Belleville



Special Event Application

Public Safety / Public Services (continued)

Will event require utilization of barricades, traffic cones, or caution tape? (Attach additional documentation if necessary)	☐ Yes ☒ No (If yes, please identify how they will be setup, taken down, maintained, and returned to the City)
Describe any signage to be used for the event including how they will be setup and removed, size, and location(s). (Attach additional documentation if necessary)	Poster boards hung up with zip ties, we will remove after sales are complete with scissors.
** Note: Refer to City's Sign Ordinance for details regarding allowable types and permissible locations of signs **	
Describe the plan for rubbish collection and removal: (Attach additional documentation if necessary)	Any trash that comes from this event will be removed by the Cub Scout troop.
Will food be available/sold at event?	☐ Yes ☒ No If yes, describe by whom:
Will alcoholic beverages be available/sold at the event?	☐ Yes ☒ No If yes, describe by whom:
Please describe your plan for meeting State law and all requirements for sale and service of food and alcoholic beverages. (Attach additional documentation if necessary)	We are not serving food or drinks.

List of Document Attachments (if applicable)

1.	4.
2.	5.
3.	6.

Belleville Special Event Application



Name/Type of Event	Fill the Boat for
Organization Name of Event Sponsor	Autism
Type of sponsoring organization	Fire Dept Association
Organization Website Address	None
Complete Address of Organization (PO Box is not acceptable)	#6 main st Belleville mi 48111
Responsible Individual	Christopher Zweng
Complete address of Responsible Individual (PO Box is not acceptable)	Belleville mi 48111
24-hour emergency telephone number	
Cellular Phone Number	Same
Email Address	
Driver's License Number and Date of Birth	
Alternate Responsible Individual	
Complete address of Alternate Responsible Individual (PO Box is not acceptable)	
Telephone Number	
Cellular Phone Number	
Email Address	
Driver's License Number and Date of Birth	
Schedule & Location	
Date(s) of Event (including Set-Up and Tear-Down)	04/03/23
Actual operational dates and hours of event	04/04/23 12/1900
Beginning Time of Event (including Set-Up time)	1200
Ending Time of Event (including Tear-Down time)	1900
Location(s) of Event	Main St / High
**Please Note: Emergency lanes for public safety access must be available at all times.	
Event Description	
Describe the purpose of this event	Raise Money for Autism Alliance of Michigan
Activities associated with event i.e. parade, vendors, concert, etc. (Attach additional documentation if necessary)	None

Belleville Special Event Application



Funding

How will this event be funded?	Belleville Firefighters Association
Who will be compensated for goods or services that support this event?	NONE
Will the City be reimbursed for services rendered?	YES ☒ NO
Have you applied for and been granted an insurance policy for this event? <i>Please attach a copy of the policy.</i>	YES ☒ NO

Public Safety / Public Services

Approximate number of participants expected.	4 - 8
What is the plan for parking?	
How will this event be staffed / supervised?	Fire Fighters / Family
Will event require Police, Fire, EMS services?	YES ☒ NO
If this is a multi-day event, please describe how goods / supplies that may be left on site overnight will be stored and secured.	N/A
Describe in detail your plans to meet social distancing requirements and disinfection practices. <i>(Attach additional documentation if necessary)</i>	N/A
Will event require City street closures? If yes, please attach a map clearly indicating which streets will be closed and when.	YES ☒ NO
Will event require utilization of barricades, traffic cones, or caution tape? If yes, please identify how it will be set up, taken down, maintained and returned to the City. <i>(Attach additional documentation if necessary)</i>	YES ☒ NO
Describe signage to be used for event. Include dates that signs will be put up and taken down, size and location of signage. <i>(Attach additional documentation if necessary)</i>	N/A
Refer to Sign Ordinance for details regarding allowable type(s) and permissible location(s) of signs	
Describe the plan for rubbish collection and removal. <i>(Attach additional documentation if necessary)</i>	N/A

Belleville Special Event Application



Public Safety / Public Services (continued)	
Will food be available / sold at event? If yes, describe by whom.	YES ☒ NO
Will alcoholic beverages be available / sold at event? If yes, describe by whom.	YES ☒ NO
Please describe your plan for meeting State Law and all requirements for sale and service of food and alcoholic beverages. <i>(Attach additional documentation if necessary)</i>	
**Please Note: Special permission and permit is required	
List Attachments:	
1 <i>Permission to use unit # 457 of the Fire Dept</i>	
2 <i>Elect.</i>	
3	
4	
5	
Applicant must be present at the City Council Meeting when this application is presented	
Action	Signature / date
Preliminary Approval from City Manager	
Preliminary Approval from DPS Director	
Preliminary Approval from Police Chief	
Preliminary Approval from Fire Chief	
Presented to City Council	
Amendments to application if any	
1	
2	
3	
4	
5	
Action	Signature / date
FINAL APPROVAL	

Budget Meeting(s) - Available Dates of Accountant (Kelly Howey)

Council Dates / Dates Accountant is Available
Monday April 3 *
Monday April 17
Monday May 1
Monday May 15
Monday June 5

* This date may be too early, as revenue estimates don't come in until late March.

**CITY OF BELLEVILLE
RESOLUTION NO. 23-010**

RESOLUTION TO APPROVE DEPARTMENTAL EXPENDITURES

WHEREAS, per City Charter, Chapter XV, Section 15.8, purchases in excess of five hundred dollars must be approved by Council, and

WHEREAS, City Council approves accounts payable.

NOW THEREFORE, BE IT RESOLVED that the Council of Belleville hereby approves accounts payable in the amount of \$153,639.21 and the following departmental purchases in excess of \$500:

Vendor	Department	Amount	Description
Downriver Hitch & Truck	DPW	\$573.95	Cutting Edge for Snow Plow
Ford Motor Credit	PD	\$17,291.95	1 st Payment on Vehicle #223 – Lease to Own

MOTION:	SECOND:

AYES:	NAYS:	ABSENT:	VOTE:

Briana Hootman
Clerk/Treasurer

Kerreen Conley
Mayor

Agenda Date: March 20, 2023

City of Belleville
EXPENDITURES IN EXCESS OF \$500

City Charter Section 15.8 requires Council approval of all purchases in excess of \$500.00 and not in excess of \$5000.00. Use this cover sheet for each purchase subject to this provision, and attach supporting documentation.

Vendor: *DOWN RIVER* Amount: \$ *573.95*
HITCH + TRUCK

Purpose: *CUTTING EDGE FOR SNOW PLOW*



☐
☐
☐
☒
☐

This request is for Council approval prior to purchase:

This purchase was previously approved by Council:

This purchase is part of a bid approved by Council:

This purchase was budgeted:

This purchase was for an emergency:



☐

This purchase was based on competitive price quotes:

☐

This purchase is not based on competitive quotes because:

DOWNRIVER'S ONLY AUTHORIZED DRAW-TITE HITCH • PRO

INVOICE
16996

DOWNRIVER HITCH & TRUCK, INC.

13667 Dix-Toledo • Southgate, Michigan 48195

P.O. _____

(734) 285-4800 • Fax: (734) 285-2018 • completehitchsouthgatemi.com

PLOW

☐ Repair

☐ Install

☐ Customer Parts

HITCH

☐ Install

☐ Wiring

☐ Electric Brake

☐ Re-Install

☐ 4 Way

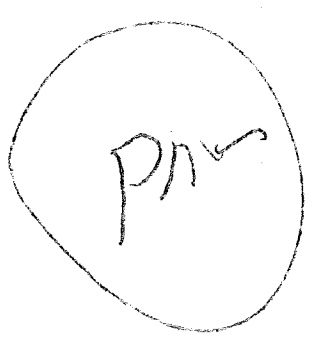
☐ Converter

☐ 7/4 Way

☐ Power Converter

☐ T-One

NAME <u>CITY OF Belleville</u>		DATE <u>3/6/23</u>	
ADDRESS	CITY	STATE	ZIP
E-MAIL		PHONE	
MAKE	MODEL	VIN	

PART NUMBER	DESCRIPTION OF PARTS OR MATERIALS	PRICE	AMOUNT
-	8-2 BOSS DX EDGES	\$53.9	
-	BOLT KIT	\$14.95	
COMMENTS 		TOTAL MATERIALS	573.95
		TAX	0
		TOTAL LABOR	0
		DEPOSIT	0
		TOTAL AMOUNT	573.95

I, the Registered owner, authorize you to perform the above repairs, furnish all materials and any sublet work. Your employees may operate vehicle for inspection, testing, and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it. I agree to pay reasonable storage on vehicle left more than 48 hrs. after notification that repairs are completed. An express mechanic's lien is acknowledged on above vehicle to secure that amount of repairs thereto. In the event an attorney is retained for any sums due, I agree to pay costs of collection and reasonable attorney fees. Receipt of a copy of this order is hereby acknowledged.

AUTHORIZED BY:

R. R. WINTER MAINT.

City of Belleville
EXPENDITURE IN EXCESS OF \$500.00

City Charter Section 15.8 requires Council approval of all purchases in excess of \$500.00 and not in excess of \$5,000.00 Use this cover sheet for each purchase subject to this provision, and attach supporting documentation.

Vendor Ford Motor Credit Amount \$17,291.95

PART 1

- ☐ This request is for Council approval prior to purchase
- ☐ This purchase was previously approved by Council by Res. No. _____
- ☐ This purchase is part of a bid approved by Council by Res. No. _____
- ☒ This purchase was specifically budgeted: per budget page _____
- ☐ This purchase was for an emergency (explain below or attach explanation).
- ☐ Other

Police Vehicle #223 New Year 1 payment of 3 Year lease to own

PART 2

This purchase was based on the following competitive price quotes:

This purchase is not based on competitive price quotes because:

NOT APPLICABLE or _____



FORD CREDIT
Municipal Finance

1 American Road, MD 7500
Dearborn, Michigan 48126
1-800-241-4199, press 1

Financing Approval for Schedule #5153510

February 17, 2023

Municipality: City of Belleville
Dealer: Atchinson Ford
Attn: David Robinson

The City of Belleville has been approved to finance the new vehicle(s) as presented below. Please confirm the following information so that I may have the file ready for documentation when a closing date is determined:

- Vehicle quantity, description, price and number and frequency of payments
- The authorized signer on the Municipal Finance Application has not changed
- The date a check can be produced for first payment

Description	Unit Price
2023 Ford Police Interceptor Utility	\$47,800.04

Total Asset Cost	\$47,800.04
Underwriting Fee	\$545.00
Amount Financed	\$48,345.04
Number of Payments	3
Payment Timing	Annual
Rate	7.49000
Payment Amount	\$17,291.95

Once the dealer communicates that the vehicle is ready for delivery and provides the documents we have requested, we will contact you to set a closing date and have the contract and instructions drafted and emailed to you.

The rate on this deal will expire on 3/26/2023. If the closing date does not occur prior to the expiration date, the rate is subject to change.

Thank you financing through Ford Motor Credit Company! We appreciate your business!

Sincerely,

Janet Doty

Janet Doty
Marketing Coordinator
jdoty@ford.com
1-800-241-4199, press 1

Police VEH # 223

Ford Motor Credit Company ("FMCC") is providing the information contained in this document for discussion purposes only in connection with a proposed arm's length commercial leasing transaction between you and FMCC. FMCC is acting for its own interest and has financial and other interests that differ from yours. FMCC is not acting as a municipal advisor or financial advisor to you, and has no fiduciary duty to you. The information provided in this document is not intended to be and should not be construed as "advice" within the meaning of Section 15B of the Securities Exchange Act of 1934 and the municipal advisor rules of the SEC. FMCC is not recommending that you take an action and you should discuss any actions with your own advisors as you deem appropriate.

ACCOUNTS PAYABLE EXPENDITURES
COUNCIL MEETING ON
MARCH 20 2023

DATE	AMOUNT	DESCRIPTION	G. TOTAL
3/20/2023	\$118,344.75	EFT	\$118,344.75
3/20/2023	\$35,294.46	CHECKS	\$35,294.46
GRAND TOTAL			\$ 153,639.21

03/16/2023 10:14 AM
User: TAKISHA
DB: Belleville

CHECK REGISTER FOR CITY OF BELLEVILLE
CHECK DATE FROM 03/16/2023 - 03/16/2023

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Description	Amount	Status
Bank CHA2 CHASE NEW ACCOUNT								
03/16/2023	CHA2	275 (E)	1231	BLUE CARE NETWORK	BLUE CARE NETWORK	INSURANCE FOR EMPLOYEES/RETIREE	19,578.03	Open
03/16/2023	CHA2	276 (E)	2545	COMCAST	COMCAST	SENIOR TRANSPORTATION - PHONE LI FIRE DEPT - CABLE/INTERNET -	103.44 242.57	Open Open
							346.01	
03/16/2023	CHA2	277 (E)	3767	DOWNRIVER UTILITY WASTE	DOWNRIVER UTILITY WASTE	EXCESS FLOW - MARCH 2023	11,039.00	Open
03/16/2023	CHA2	278 (E)	4049	FORD MOTOR CREDIT CO.,	FORD MOTOR CREDIT CO.,	2023 INTERCEPTOR #5153510	17,291.95	Open
03/16/2023	CHA2	279 (E)	4212	GREAT LAKES WATER AUTHO	GREAT LAKES WATER AUTHO	CITY WATER BILL JAN 1 TO FEB 1,	28,231.85	Open
03/16/2023	CHA2	280 (E)	0147	MUNICIPAL EMPLOYEES RET	MUNICIPAL EMPLOYEES RET	CONTRIBUTIONS FOR FEB 2023	36,927.83	Open
03/16/2023	CHA2	281 (E)	0996	PRINCIPAL LIFE	PRINCIPAL LIFE	PERIOD 3/1/2023 TO 3/31/2023	2,268.24	Open
03/16/2023	CHA2	282 (E)	4303	TELNET WORLDWIDE	TELNET WORLDWIDE	TELEPHONE SERVICES	613.27	Open
03/16/2023	CHA2	283 (E)	3102	WEX BANK	WEX BANK	FUEL BILL - FEB 7 TO MARCH 6, 20	2,048.57	Open
CHA2 TOTALS:								
Total of 9 Checks:							118,344.75	
Less 0 Void Checks:							0.00	
Total of 9 Disbursements:							118,344.75	

Check Date	Bank	Check	Vendor	Vendor Name	Invoice	Vendor	Description	Amount	Statu
Bank CHA2 CHASE NEW ACCOUNT									
03/16/2023	CHA2	6450	4465	ACCUSHRED, LLC	ACCUSHRED, LLC		SHREDDING PAPER (PD)	75.00	Open
03/16/2023	CHA2	6451	4280	BELLEVILLE AREA CHAMBER	BELLEVILLE AREA CHAMBER		MEMBERSHIP DUES - APR 2023 TO AP	395.00	Open
03/16/2023	CHA2	6452	0817	BELLEVILLE AREA INDEPEN	BELLEVILLE AREA INDEPEN		ADVERSTING & COUNCIL MEETINGS FE	169.75	Open
							BELLEVILLE AREA INDEPEN ADVERSTING & COUNCIL MEETINGS FE	147.00	Open
							BELLEVILLE AREA INDEPEN ADVERSTING & PUBLIC NOTICE FEB 2	280.00	Open
							BELLEVILLE AREA INDEPEN ADVERSTING & CITY OF BELLEVILLE	1,060.50	Open
								1,657.25	
03/16/2023	CHA2	6453	0028	BELLEVILLE PRO HARDWARE	BELLEVILLE PRO HARDWARE		FIRE DEPT MAINT MARCH 2023	29.56	Open
							BELLEVILLE PRO HARDWARE DPW SUPPLIES	22.46	Open
							BELLEVILLE PRO HARDWARE CITY HALL MAINT MARCH 2023	12.95	Open
							BELLEVILLE PRO HARDWARE WATER SUPPLIES FEB 2023	109.95	Open
							BELLEVILLE PRO HARDWARE CITY HALL MAINT MARCH 2023	9.89	Open
								184.81	
03/16/2023	CHA2	6454	1469\DK	CARDMEMBER SERVICE	CARDMEMBER SERVICE		CITY CREDIT CARD 2.3.23 TO 3.2.2	791.83	Open
03/16/2023	CHA2	6455	4304	CORE & MAIN LP	CORE & MAIN LP		WATER - SUPPLIES/MAINTENANCE FEB	123.51	Open
03/16/2023	CHA2	6456	4067	CULLIGAN OF ANN ARBOR/D	CULLIGAN OF ANN ARBOR/D		WATER (CITY HALL) FEB 2023	61.89	Open
03/16/2023	CHA2	6457	0898	CUMMINGS, MCCLOREY, DAV	CUMMINGS, MCCLOREY, DAV		LEGAL SERVICES -JAN 2023	2,150.00	Open
03/16/2023	CHA2	6458	2004	DELANO, JENNIFER	DELANO, JENNIFER		DISPATCH FEB 20 - MARCH 5 2023	91.00	Open
03/16/2023	CHA2	6459	0075	DTE ENERGY	DTE ENERGY		27 2ND ST STREETLIGHTING - 9100	74.52	Open
							26 5TH ST STREETLIGHTING - 9100	283.95	Open
								358.47	
03/16/2023	CHA2	6460	0075	DTE ENERGY	DTE ENERGY		STREET LIGHTING 9100-4050-3245	6,057.55	Open
03/16/2023	CHA2	6461	0076	DTE ENERGY	DTE ENERGY		550 SAVAGE RD - 9100 067 6575 4	20.63	Open
							370 E COLUMBIA - 9100 067 6548 1	704.01	Open
							445 WATERBURY CT - ELECTRIC	14.97	Open
							440 VICTORIAN LN - 9100 161 5585	14.96	Open
							460 WATERBURY - 9100 161 5572 3	14.99	Open
							510 VICTORIAN LN - 9100 161 5598	14.93	Open
							46785 DENTON RD 910006765127	42.09	Open
								826.58	
03/16/2023	CHA2	6462	REFUND UB	FARRUGIA, MARIA	FARRUGIA, MARIA		UB refund for account: ABCT-0002	20.00	Open
03/16/2023	CHA2	6463	3832	FOSTER, SWIFT, COLLINS	FOSTER, SWIFT, COLLINS		FEB 2023 LEGAL FEES	175.00	Open
03/16/2023	CHA2	6464	4089	HYDROCORP	HYDROCORP		FEB 2023 CROSS CONNECTION	400.00	Open
03/16/2023	CHA2	6465	4207	KCI	KCI		ASSESSMENT POSTAGE 2022	226.74	Open
03/16/2023	CHA2	6466	3132	KONICA MINOLTA BUSINESS	KONICA MINOLTA BUSINESS		SERVICES - POLICE DEPT	16.73	Open
03/16/2023	CHA2	6467	4501	LINDE GAS & EQUIPMENT I	LINDE GAS & EQUIPMENT I		OXYGEN CYLINDERS	2.70	Open
03/16/2023	CHA2	6468	2529	MICHIGAN STATE POLICE	MICHIGAN STATE POLICE		DRY GAS INVOICE FEB 2023	110.00	Open
03/16/2023	CHA2	6469	0407	MISSION SQUARE	MISSION SQUARE		2/27/2023-3/12/2023	272.00	Open
03/16/2023	CHA2	6470	2760	MISTER MAT RENTAL SERVI	MISTER MAT RENTAL SERVI		CITY HALL - MAT RENTAL MAR 2023	34.90	Open
03/16/2023	CHA2	6471	0162	QUILL CORPORATION	QUILL CORPORATION		OFFICE SUPPLIES POLICE DEPT MAR	33.98	Open
							OFFICE SUPPLIES DDA MARCH 2023	17.99	Open
							OFFICE SUPPLIES (CLERK) FEB 20	9.49	Open
								61.46	
03/16/2023	CHA2	6472	3215	REPUBLIC SERVICES #241	REPUBLIC SERVICES #241		FEB 2023 TRASH PICKUP	17,804.31	Open
							TRASH PICKUP DPW/2 WASTE CONTAIN	360.00	Open

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Description	Amount	Statu
03/16/2023	CHA2	6473	0711	SUMPTER ACE HARDWARE		SUMPTER ACE HARDWARE SUMPTER ACE HARDWARE SUMPTER ACE HARDWARE SUMPTER ACE HARDWARE	28.39 67.48 16.15 102.18	Open Open Open Open
03/16/2023	CHA2	6474	REFUND BLD	TOM TOWLER CONTRACTING	TOM TOWLER CONTRACTING	BD Payment Refund	162.00	Open
03/16/2023	CHA2	6475	0227	WAYNE COUNTY DEPT OF EN	WAYNE COUNTY DEPT OF EN	FY 2022 DRAIN ASSESSMENT	100.36	Open
03/16/2023	CHA2	6476	4528	WAYNE COUNTY TREASURER	WAYNE COUNTY TREASURER	MEMBERSHIP 1ST QUARTERLY MEETING	50.00	Open
03/16/2023	CHA2	6477	0219	WAYNE COUNTY TREASURER	WAYNE COUNTY TREASURER	BELLE VILLA MEADOWS FEB 2023	612.50	Open
03/16/2023	CHA2	6478	0219	WAYNE COUNTY TREASURER	WAYNE COUNTY TREASURER	BELLE VILLA LAKE MOBILE HOME TAX	437.50	Open
03/16/2023	CHA2	6479	2490	WISE TECHNOLOGIES LLC	WISE TECHNOLOGIES LLC	IT SERVICES - SEPT 21 - OCT 12,	1,003.74	Open
03/16/2023	CHA2	6480	4512	WITMER PUBLIC SAFETY GR	WITMER PUBLIC SAFETY GR	UNIFORM FD EQUIPMENT MAINT.	457.43	Open

CHA2 TOTALS:

Total of 31 Checks: 35,294.46

Less 0 Void Checks: 0.00

Total of 31 Disbursements: 35,294.46