

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
SEPTEMBER 14, 2015 WORK STUDY MEETING, TENTATIVE AGENDA**

ROLL CALL:

Supervisor Combs	_____	Trustee McClanahan	_____
Clerk Wright	_____	Trustee Miller	_____
Treasurer Budd	_____	Engineer Nummer	_____
Trustee Hart	_____	Attorney McCauley	_____
Trustee Jahr	_____	Secretary Montgomery	_____

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Discussion on the appointment of Leonard Armstrong to the Local Development Finance Authority (LDFA) with a term to expire August 12, 2019.
2. Discussion on the re-appointment of Harlan Davenport to the Construction Code of Appeals Board with a term to expire February 28, 2017.
3. Discussion on Resolution 2015-36 to defer the review of applications pertaining to Medical Marijuana establishments.

PUBLIC COMMENT:

ADJOURNMENT:

CLOSED SESSION:

1. To discuss attorney client written communication regarding litigation case #13-14497
2. To discuss ongoing Michigan Association of Fire Fighters (MAFF) contract negotiations.

ADJOURNMENT:

Charter Township of Van Buren

Agenda Item: _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE: 9-14-2015

BOARD MEETING DATE: 9-15-2015

Consent Agenda_X_

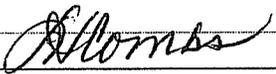
New Business_____

Unfinished Business_____

Public Hearing_____

ITEM (SUBJECT)	To appoint Leonard Armstrong to the LDFA.
DEPARTMENT	Supervisor's Office
PRESENTER	Supervisor Combs
PHONE NUMBER	734-699-8910
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
To approve the appointment of Leonard Armstrong to the Local Finance Development Authority with a term expiring August 12, 2019.	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
Mr. Armstrong is just concluding a term of service to the LDFA and has expressed interest in serving an additional term. His accumulated experience and knowledge gained during his past term, combined with his business expertise as a successful business owner within the Township, is an asset to the Authority.	
BUDGET IMPLICATION	NA
IMPLEMENTATION NEXT STEP	Reappointment
DEPARTMENT RECOMMENDATION	Approval by the Township Board
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

Agenda Item: _____

WORK STUDY MEETING DATE:

9-14-2015

BOARD MEETING DATE: 9-15-2015

Consent Agenda X

New Business _____

Unfinished Business _____

Public Hearing _____

ITEM (SUBJECT)	Consider the re-appointment of Harlan Davenport to the Construction Code Appeals Board with terms to expire February 28, 2017.
DEPARTMENT	Supervisor
PRESENTER	Supervisor Combs
PHONE NUMBER	734-699-8910
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Consider the re-appointment of Harlan Davenport to the Construction Code Appeals Board with terms to expire February 28, 2017.	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
<p>Because the Township enforces the State Construction Code or a part of its local its local building code that has not been pre-empted by the State Construction Code, the local community must maintain a Construction Board of Appeals.</p> <p>Harlan Davenport has been serving on the Appeals Board and meet all the requirements as mandated by Michigan Compiled Laws (MCL) 125.1514.</p> <p>They have confirmed with staff in the Supervisor’s office, their desire to continue serving in their existing capacity.</p> <p>I am pleased to recommend their re-appointment. Thank you for your consideration.</p>	

BUDGET IMPLICATION	NA
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IMPLEMENTATION NEXT STEP	
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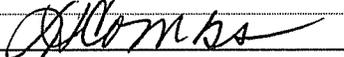
DEPARTMENT RECOMMENDATION	Approval
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COMMITTEE/COMMISSION RECOMMENDATION	
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ATTORNEY RECOMMENDATION	
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(May be subject to Attorney/Client Privilege and not available under FOIA)

ADDITIONAL REMARKS	
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APPROVAL OF SUPERVISOR	
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Charter Township of Van Buren

Agenda Item: _____

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE: 9/14/15

BOARD MEETING DATE: 9/15/15

Consent Agenda _____

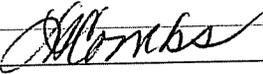
New Business X

Unfinished Business _____

Public Hearing _____

ITEM (SUBJECT)	Consideration to extend the existing six (6) month moratorium to defer review of applications for Medical Marijuana Establishments for an additional six (6) months effective from October 7, 2015 until April 7, 2016.
DEPARTMENT	Planning and Economic Development
PRESENTER	Ron Akers, Director of Planning and Economic Development
PHONE NUMBER	(734) 699-8913
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	To consider a resolution to defer the review of applications pertaining to Medical Marijuana Establishments for an additional six (6) months effective from October 7, 2015 until April 7, 2016, in order to further study how to regulate these uses.
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	At their April 7, 2015 meeting, the Township Board of Trustees adopted resolution 2015-13 which was a resolution to defer the review of applications pertaining to Medical Marijuana Establishments. The purpose of the moratorium was to give the Township additional time to study this topic and allow the Township to prepare any ordinance amendments. Since April 7, 2015 a subcommittee has been formed and they have researched the item extensively, due to the turnover in the Planning and Economic Development department additional time will be needed to complete the study and move forward on this issue.
BUDGET IMPLICATION	None
IMPLEMENTATION NEXT STEP	To continue working with the sub-committee which consists of members from the Board, Planning Commission, and staff to develop a strategic plan of action.
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	Planning Commission 9/9/15
ATTORNEY RECOMMENDATION	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

CHARTER TOWNSHIP OF VAN BUREN

RESOLUTION 2015 - 36

September 15, 2015

A RESOLUTION TO EXTEND THE MORATORIUM PASSED ON APRIL 7, 2015 TO DEFER THE REVIEW OF APPLICATIONS PERTAINING TO MEDICAL MARIJUANA ESTABLISHMENTS

PREAMBLE

A resolution to extend the moratorium passed on April 7, 2015 to defer the consideration and review of applications for uses, rezoning and/or for special land uses pertaining to medical marijuana establishments, including, but not limited to, dispensaries, provision centers, clubs and other similar type establishments within Van Buren Township.

THE CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY, MICHIGAN, ORDAINS:

WHEREAS, Van Buren Township desires to secure the public safety, health, and welfare of the residents and property owners of the Township of Van Buren, Wayne County, Michigan, by providing for the regulation, control, and prohibition where necessary, of medical marijuana establishments, including, but not limited to, dispensaries, provision center, clubs and other similar type establishments within Van Buren Township.

WHEREAS, the cultivation, sale, use, or dispensation of medical marijuana was not envisioned when the current Zoning Ordinance was adopted;

WHEREAS, this use is not regulated or planned for in any way;

WHEREAS, the Van Buren Township Board of Trustees is currently studying to potentially revise the Van Buren Township Zoning Ordinance;

WHEREAS, the Van Buren Township Board of Trustees will require additional time to study how to regulate these uses and recommends an extension of the six (6) month moratorium to allow it sufficient time to study and prepare any necessary ordinance amendments;

WHEREAS, allowing the use, cultivation, sale or dispensation of medical marijuana prior to the amendment of the Zoning Ordinance would be contrary to the goals of the current zoning ordinance and master plan;

WHEREAS, Van Buren Township desires to ascertain the best and safest path to compliance with the Michigan Medical Marijuana Act, Being PA 2008; MCL 333.26421, et. al., in order to protect the public health, safety, and welfare;

WHEREAS, the Township Board is aware that the State Legislature is considering legislation concerning medical marijuana provisioning centers involving the purchase, sale, possession and/or transfer of marijuana and addressing the issues of local regulation of such establishments, which passage of such a law would provide further guidance to the Township;

WHEREAS, the Van Buren Township Board of Trustees has concluded that until the ordinances are revised that it would be counter-productive if new development or expansion of development relating to medical marijuana establishments or a rezoning or special land use application for such type facilities were permitted to move forward. Therefore, the Van Buren Township Board of Trustees has determined that for this period that there shall be a deferral of consideration or review of any requests for new development, establishment and of the rezoning of property and special land uses for property pertaining to medical marijuana establishments, including the use, cultivation, sale and/or dispensing of medical marijuana;

THEREFORE, be it resolved that a moratorium passed on April 7, 2015 is extend by an additional six (6) months, and such extension is hereby declared effective from October 7, 2015 until April 7, 2016.

THEREFORE, be it further resolved that, for the period commencing on the date of this Resolution and terminating on April 7, 2016, there shall be no consideration or action taken by a Township entity, official, and/or agent on a proposal for the establishment of a medical marijuana establishment/facility in Van Buren Township and that during the moratorium medical marijuana establishments shall not be permitted in the Township.

CERTIFICATE

Upon the motion made by _____, and seconded by _____, the above Resolution was adopted.

The following members voted:

Yeas:

Nays:

Absent/Abstain:

The Supervisor Declared the Resolution Adopted.

Linda Combs, Supervisor

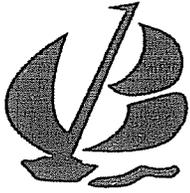
Date

Certification of Clerk

I, LEON WRIGHT, Clerk of Van Buren Township, Wayne County, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Moratorium established, which Resolution was adopted by the Van Buren Township Board at a meeting held on _____, 2015

Leon Wright, Clerk

Date



Charter Township of Van Buren

BOARD OF TRUSTEES

SUPERVISOR
Linda H. Combs

CLERK
Leon Wright

TREASURER
Sha'ry A. Budd

TRUSTEE
Phillip C. Hart

TRUSTEE
Jeffrey L. Jahr

TRUSTEE
Brenda J. McClanahan

TRUSTEE
Reggie Miller

MEMO

From: Director Akers
To: Van Buren Township Board of Trustees
Date: September 9, 2015
Re: Request to consider resolution 2015-36

At the September 9, 2015 Planning Commission meeting the following motion was made:

“Moved by Commissioner Budd, Supported by Commissioner Kelly to recommend that the Township Board of Trustees consider a resolution to extend the six (6) month moratorium for medical marihuana to complete review and provide a recommendation.”

At the April 7, 2015 Township Board meeting, the Board approved a resolution which placed a six (6) month moratorium effective from April 7, 2015 until October 7, 2015, to defer the review of applications pertaining to Medical Marihuana Establishments. The Planning Commission at their April 22, 2015 meeting assigned a committee to address this issue. The committee has met on May 14, 2015, June 18, 2015, and July 20, 2015 and has studied several aspects of how to proceed with this issue including the following:

- Reviewing other community's regulations. (City of Ypsilanti, Commerce Township, and City of Wayne)
- Potential items to regulate which include:
 - What to permit and whether to regulate the use through zoning, licensing, or both.
 - Setbacks from schools, religious institutions, parks, etc.
 - Product safety and testing.
 - On-site vs. off-site growing and patient transfers.
 - On-site use/consumption.
 - Building size limitations.
 - Records and inspections.
 - Sales.
 - Other related issues.

Additionally at the July 20, 2015 meeting the committee visited growing operations and dispensaries in the City of Ypsilanti and the committee is planning on meeting on September 17, 2015 in order to discuss providing a recommendation.



Charter Township of Van Buren

BOARD OF TRUSTEES

SUPERVISOR
Linda H. Combs

CLERK
Leon Wright

TREASURER
Sharry A. Budd

TRUSTEE
Phillip C. Hart

TRUSTEE
Jeffrey L. Jahr

TRUSTEE
Brenda J. McClanahan

TRUSTEE
Reggie Miller

Due to turnover in the department and the busy summer months, there has been limited time available to dedicate to this issue. As a result of this and the complexities of the issue, the committee has not yet provided a recommendation to the Planning Commission. Based on this and the attached Planning Commission recommendation, I am requesting that the Township Board of Trustees adopt resolution 2015-36 which would extend the above mentioned temporary moratorium for an additional six (6) months, expiring on April 7, 2016.