

## **CITY OF CARO REGULAR COUNCIL MINUTES**

Mayor Joe Greene called the regular meeting of the City Council to order on March 2, 2020 at 7:30 p.m. in the Caro City Hall Council Chambers.

Present: Mayor Joe Greene, City Council: Brian Rickwalt, Alvin Zavitz, Bob Eschenbacher, Don Hall, and Tisha Jones-Holubec

Absent: None

Others in Attendance: Matthew Lane – City Manager, Sara Savage – Clerk/Treasurer and other guests

### **AGENDA APPROVAL:**

#### **20-M-043**

**Motion by Zavitz, seconded by Jones-Holubec to approve the agenda as presented. Motion carried.**

### **PUBLIC COMMENT/VISITORS:**

Dawn Karr, Growing Hearts Daycare, stated she is not opposed to medical marihuana business but thinks there are better locations then next to a daycare with or without a fence.

Jill White made a comment about cigarette butts on the ground outside city hall.

Mark Vollmar made a comment urging the council to deny the special use permit for the medical marihuana facility next to the daycare.

Michael Spaulding submitted a written public comment against the medical marihuana facility proposed for next door to the daycare.

Dawn Karr, Growing Hearts Daycare, submitted a written public comment against the medical marihuana facility proposed for next door to the daycare.

Ray Murad, Premier Provisioning, addressed concerns that were heard regarding the medical marihuana business next to the daycare. He stated his attorney has checked the state laws and found none that would prevent a daycare being next to a medical marihuana provisioning center.

### **COMMUNICATIONS:** Noted.

### **CONSENT AGENDA:**

1. Finance Committee Minutes – February 17, 2020
2. Regular Council Minutes – February 17, 2020
3. Invoices

#### **20-M-044**

**Motion by Eschenbacher, seconded by Hall to approve the consent agenda including the invoices. Motion carried.**

### **REGULAR AGENDA:** (action required)

1. Special Condition Use Permit – Spark Cannabis Medical Marihuana Growing Facility

#### **20-M-045**

**Motion by Hall, seconded by Eschenbacher to accept the recommendation of the Planning Commission to approve the Special Condition Use Permit for Spark Cannabis Growing Facility at 1347 Prospect Avenue, contingent upon resolution of the insurance situation and updating the parking on the site plan to meet city standards and to direct the city manager to issue a Provisional Medical Marihuana Facility License in accordance with Ordinance 475 of the City of Caro Code of Ordinances.**

**Roll call: Eschenbacher – yes, Hall – yes, Jones-Holubec – yes, Rickwalt – yes, Zavitz – yes, Mayor Greene – yes. Motion carried.**

2. Special Condition Use Permit – Spark Cannabis Medical Marihuana Provisioning Center **20-M-046**

**Motion by Eschenbacher, seconded by Hall to accept the recommendation of the Planning Commission to approve the Special Condition Use Permit for Spark Cannabis Provisioning Facility at 1345 Prospect Avenue, contingent upon resolution of the insurance situation and updating the parking on the site plan to meet city standards and to direct the city manager to issue a Provisional Medical Marihuana Facility License in accordance with Ordinance 475 of the City of Caro Code of Ordinances. Roll call: Hall – yes, Jones-Holubec – yes, Rickwalt – yes, Zavitz – yes, Eschenbacher – yes, Mayor Greene – yes. Motion carried.**

3. Special Condition Use Permit – Premier Provisioning Medical Marihuana Provisioning Center

**20-M-047**

**Motion by Rickwalt, seconded by Jones-Holubec to decline the recommendation of the Planning Commission and deny the Special Use Permit for the Premier Provisioning Facility at 755 A N. State Street and direct the City Manager to notify the applicant of the denial. Roll call: Jones-Holubec – yes, Rickwalt – yes, Zavitz – yes, Eschenbacher – no, Hall – no, Mayor Greene – no. MOTION FAILED.**

**20-M-048**

**Motion by Rickwalt, seconded by Jones-Holubec to table the Special Condition Use Permit for Premier Provisioning until the next regularly scheduled meeting of the City Council, to be held on March 16, 2020. Roll call: Rickwalt – yes, Zavitz – yes, Eschenbacher – yes, Hall – no, Jones-Holubec – yes, Mayor Greene – no. Motion carried.**

4. Designation of Street Administrator Resolution

**20-M-049**

**Motion by Eschenbacher, seconded by Zavitz to adopt the Resolution for Designation of Street Administrator and designate Matthew Lane as the Street Administrator. Motion carried.**

5. Check Signor Authorization

**20-M-050**

**Motion by Hall, seconded by Zavitz to authorize the Clerk/Treasurer to remove Michael Silverman on the payroll account and add City Manager Matthew Lane as an authorized signature on payroll checks. Motion carried.**

6. Set Spring Clean-Up – May 2, 2020

**20-M-051**

**Motion by Eschenbacher, seconded by Jones-Holubec to set the Spring Clean-Up day for Saturday, May 2, 2020 at the fairgrounds. Motion carried.**

7. Set Budget/Capital Improvements Workshop

Budget/Capital Improvements Workshop set for Monday, March 16, 2020 at 6:00 p.m.

**ITEMS PENDING/TABLED:**

1. Requests for Uncollectible Debt Write-Offs

**20-M-052**

**Motion by Eschenbacher, seconded by Hall to write-off the uncollectible debt amounts for accounts receivable in the amount of \$3,835.44 and utility billing in the amount of \$2,664.86. Motion carried.**

**COMMITTEE/LIAISON POSITION REPORTS:**

1. Parks & Recreation – Councilor Jones-Holubec reported that the committee created three sub-committees; one each for the splash pad, dog park, and recreational programs. The committee would like clarification on what the council wants and the committee's role in the splash pad project. Discussed having a park clean-up day in conjunction with the city's spring clean-up day.
2. Planning Commission – minutes are in the packet.
3. EDC – Mayor Greene reported the commission talked about projects.

**MAYOR'S REPORT** – Mayor Greene reported on the MML Elected Officials Academy Core Weekender he recently attended.

**MANAGER COMMENTS** – The City Manager submitted a written report.

**CLERK'S REPORT** - The Clerk/Treasurer submitted a written report.

**ADDITIONAL PUBLIC COMMENT**

Mark Vollmar made a comment against the proposed medical marihuana facility next to the daycare.

Michael Spaulding made a comment against the proposed medical marihuana facility next to the daycare.

Mark Perez made a comment of against the proposed medical marihuana facility next to the daycare.

Josephine Spaulding stated the medical marihuana business next to the daycare could cause hardships on parents.

Mary Gray, Growing Hearts Daycare, made a comment regarding the city's medical marihuana ordinance not counting children four years old and under.

Herb Sheardy made a comment about the garbage company not picking up all of his garbage.

Susan Holder made a comment against the proposed medical marihuana facility next to the daycare.

Councilor Jones-Holubec made a comment regarding a sewage backup problem on North Almer Street.

Councilor Hall questioned how much the city spent on the “welcome” sign and requested to put a light on the sign.

Andrew Hiser made a comment about the garbage company not shutting the gates on his dumpster.

**20-M-053**

**Moved by Eschenbacher, seconded by Hall to adjourn the meeting at 8:52 p.m. Motion carried.**

Sara Savage  
Clerk/Treasurer