

**CITY OF GRAND HAVEN  
519 WASHINGTON AVE.  
GRAND HAVEN, MICHIGAN  
SPECIAL CITY COUNCIL MEETING  
April 11, 2022**

**CALL TO ORDER**

The April 11, 2022 Special Meeting of the Grand Haven City Council was called to order at 6:30 p.m. by Mayor Cathy McNally in the Council Chambers of City Hall, 519 Washington Ave.

**Present:** Council Members Ryan Cummins, Mike Fritz, and Mayor Cathy McNally.

**Absent\*:** Council Members Karen Lowe and Kevin McLaughlin

**Others Present:** City Manager Patrick McGinnis; City Clerk Kelly M. Beattie; City Attorney Ron Bultje, City Attorney Tom Forshee.

\*It was noted that Council Member Lowe was absent due to illness and the absence of Council Member McLaughlin was planned as part of a known vacation.

**NEW BUSINESS**

Note: The purpose of this meeting was divided into two questions, because the requisite number of council members were not present to enter into closed session under Open Meetings Act, Section 8 (h), but the City Council could meet in closed session, under Section 8 (c) with a simple majority vote. Both questions were considered before the City Council entered into closed session.

**22-116 Moved by Council Member Cummins, second by Council Member Fritz to meet in closed session permitted under the Open Meetings Act, Section 8 (c), strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement.** This motion carried with three members voting yes and two council members absent. Yes: Cummins, Fritz, and McNally. Absent: Lowe and McLaughlin.

Consideration by City Council to enter into closed session Open Meetings Act, Section 8 (h), to consider a legal opinion exempt from discussion or disclosure by state or federal statute. \*Not enough members present to consider this motion, so the motion below was substituted.

**22-117 Motion by Council Member Fritz, seconded by Council Member Cummins, to receive a briefing in open session on the general legal landscape [surrounding] ~~sounding~~ Adult-Use Marijuana permitting issues.** This motion carried with three members voting yes and two council members absent. Yes: Cummins, Fritz, and McNally. Absent: Lowe and McLaughlin.

Council Member Cummins asked for assurance that the written legal opinion or other privileged information regarding adult-use marijuana would not be included in any [discussion] ~~discussing~~ on marijuana permitting.

[Attorney Tom Forshee indicated that the information would remain general in nature and would not cross into his legal opinion and that the ability to discuss his legal opinion as privileged would remain] \*

**The City Council entered into closed session at 6:39 p.m. permitted under the Open Meetings Act, Section 8 (c), strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement**

**22-118 Moved by Council Member Fritz, seconded by Council Member Cummins to exit the closed session at 7:13p.m.** This motion carried with three members voting yes and two council members absent. Yes: Cummins, Fritz, and McNally. Absent: Lowe and McLaughlin.

**Mayor declared a recess at 7:13 p.m.**

**The recess ended, and the City Council meeting resumed at 7:20 p.m.**

Tom Forshee spoke regarding the legal landscape regarding adult-use marijuana permitting.

Key Points of this presentation included:

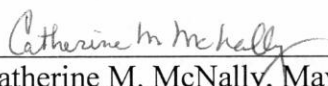
Rules established by the Michigan Regulation and Taxation of Marihuana Act:

- MRTMA includes the basics of what would need to be in an ordinance.
- Specific rules for establishing a hard number cap, including a competitive process
- Options for utilizing zoning a instead of a hard cap (e.g. special land use).

Mayor McNally asked for more information about zoning buffers. Forshee responded that as long as zoning distinctions are reasonable courts tend to not interfere.

## **ADJOURNMENT**

**Mayor McNally adjourned the special meeting at 7:29 p.m. to begin the regular meeting.**

  
Catherine M. McNally, Mayor

  
Kelly M. Beattie, City Clerk

\*language in bracket was inserted/corrected during the approval of the minutes on April 25, 2022