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## **LAINGSBURG CITY COUNCIL PROCEEDINGS**

**October 5, 2020**

**Approved**

Mayor Culpepper called the meeting to order at 7:06 p.m. at 114 N. Woodhull, Laingsburg in City Hall Council Chambers where some members unattended remotely, due to the COVID19 pandemic.

Present in City Hall: Mayor Culpepper, Alan Ducastel, Gail Geasler and David Rhodabeck.  
Present via Zoom: Marcie Nickols and Brian Fredline. Members Absent: Mary Hetherington.  
Others present: Dave Casler, DPW, Dan DeKorte, Police Chief, Paula Willoughby, Clerk, Pete Preston, Preston Community Services

Public Comment – The floor was opened to public comment Lisa Jelenek expressed concerns regarding the parking situation in downtown, signage, the children and the image of Laingsburg with the proposed addition of a second Marihuana Shop.

Moved by Ducastel, seconded by Nickols to approve the minutes of September 14, 2020, as presented. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Rhodabeck, seconded by Ducastel to approve the Treasurer's Report, subject to audit. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Ducastel to open the floor for discussion regarding the petitions for Special Land Use and Final Site Plan Approval for 105 E. Grand River Road to convert office/retail space to a Marijuana Retailer and Processor. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

There was an open discussion with the Council and the applicant as well as further public comment. The Council reviewed information that was received by a concerned citizen. The applicant stated that there would be no "extraction", no butane, no propane and no explosives. The applicant stated that they want to assimilate with the City as far as signage and actions. There were concerns of possible parking issues and the ability to have a mixed-use building.

Moved by Fredline, seconded by Rhodabeck to accept the recommendations of the Planning Commission to approve the Petition for Special Land Use and Final Site Plan Approval for use of the property as a combined marihuana provisioning center, retailer, and processor as submitted by Marcus Braman for property located at 105 E. Grand River Road in Laingsburg and as legally described in the petition based on the following reasoning and conditions:

Reasoning:

1. Standards set forth under Section 704 (basis of determination), Section 833, Section 834, and Section 838 appear to be met subject to the conditions set forth below.

2. Standards set forth under Section 605 (final site plan requirements) and Section 606 (standards for review) have been or can be met subject to the conditions set forth below.
3. Any additional reasoning as set forth by the Planning Commission.

Conditions:

1. As it concerns the requirements for a final site plan and special land use, provide information as outlined in Items 3, 4, and 5 in the staff report.
2. The applicant shall participate in a City coordinated effort to pave the off-street parking area.
3. Extraction from raw marijuana using CO<sub>2</sub>, alcohol, butane, and/or other potentially flammable, explosive, or combustible gases, liquids, or any another medium is prohibited.

Roll call vote: Yeas: Culpepper, Nickols, Ducastel, Rhodabeck and Fredline. Nays: Geasler. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Rhodabeck to adopt Resolution 2010 to amend the City of Laingsburg Zoning Ordinance to provide outside seating and dining standards. Complete resolution attached to the minutes. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Culpepper, seconded by Ducastel to confirm the longstanding tradition of Halloween, Trick or Treat Hours to be set from 6pm to 8pm on October 31st. Encouraging all participants to follow the CDC Guidelines. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, seconded by Rhodabeck to accept the Planning Commission's recommendation, after a public hearing held at their September 21, 2020 meeting, and reaffirm the City of Laingsburg Master Plan, 2020. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, supported by Nickols to table the update of the Downtown Development Authority Plan. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: Hetherington. Motion carried.

Moved by Fredline, supported by Nickols to accept the resignation of Mary Hetherington from Laingsburg City Council effective immediately. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

Moved by Ducastel, supported by Fredline to fill the unexpired term of Mary Hetherington following the November 3<sup>rd</sup>, 2020 election. There are currently five candidates on the ballot, in a vote for three candidates for City Council. The Council will offer the unexpired term of Hetherington to the candidate on the ballot that receives the fourth highest number of votes on November 3<sup>rd</sup>, 2020. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

Moved by Fredline, seconded by Rhodabeck to pay the bills in the amount of \$105,715.73 from the General Fund using check #41290-41328; Electronic payments of \$355,364.08 from 9/1 through 10/5. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

There was a discussion regarding the request to paint and repair the Building that houses the Laingsburg Public Library. The Council would like more information regarding what the scope of that project.

Moved by Rhodabeck, supported by Ducastel to replace the furnace in the Police Department garage accepting the bid from Hi-Temp and Cooling in the amount of \$2,997.00. Roll call vote: Yeas: Culpepper, Nickols, Geasler, Ducastel, Rhodabeck and Fredline. Nays: None. Absent: None. Motion carried.

The meeting adjourned at 8:33 p.m.

Paula Willoughby  
Clerk

Micheal Culpepper  
Mayor