

PONTIAC CITY COUNCIL

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It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Garland S. Doyle, M.P.A.
Interim City Clerk

SPECIAL MEETING
December 6, 2019
4:00 P.M.
127th Session of the 10th Council

Call to order

Roll Call

Authorization to Excuse Councilmembers

Amendments to and Approval of the Agenda

Resolution

Resolution that prohibits the Mayor's Office from accepting Medical Marihuana Provisioning Center Applications and affirms that the City Clerk's Office is the only City of Pontiac Office that can officially accept Medical Marihuana applications on behalf of the City according to Ordinance 2357 (B) "City of Pontiac Medical Marihuana Facilities Ordinance"

Public Comment

Adjournment

RESOLUTION

Pontiac City Council



Resolution

WHEREAS the citizens of the City of Pontiac have approved the City of Pontiac Medical Marihuana Facilities Ordinance (Ordinance 2357B);

WHEREAS on October 29, 2019, the Pontiac City Council of the City of Pontiac approved Motion 19-531 to Extend Medical Marihuana Moratorium (#6) until January 6, 2020;

WHEREAS on November 12, 2019, the City of Pontiac Mayor Waterman submitted a Mayor's Statement on Veto of Resolution 19-351;

WHEREAS on November 19, 2019, the Pontiac City Council of the City of Pontiac took no action to over-ride Mayor Waterman's veto of November 12, 2019. On November 20, 2019, Mayor Waterman announced through press release only the medical marihuana facilities permit application period to run from November 20, 2019 to December 10, 2019.

WHEREAS on November 21, 2019, the Pontiac City Clerk announced, in a conflicting press release, that applications for all marihuana permits were being accepted by his office, except for provisioning center permit applications, for which the 21 day application period was established by the City Clerk beginning on January 6, 2020 and ending on January 27, 2020.

WHEREAS on November 27, 2019, the provisioning center permit application was uploaded to the City of Pontiac website announcing a permit application period that commenced on November 20, 2019 and closing on December 10, 2019.

WHEREAS on December 2, 2019, the Pontiac City Clerk issued an Official Public Notice that: (1) the applications for the provisioning center permits on the City of Pontiac website were not provided by the City Clerk; (2) the application period announced on the City of Pontiac website and in Mayor

Waterman's press release are incorrect; (3) the provision center permit application period announced by Mayor Waterman is incorrect; and (4) the application period will begin on January 6, 2020 and end on January 27, 2020.

WHEREAS on December 2, 2019 at Mayor Waterman's Medical Marihuana Town Hall Meeting City Attorney Anthony Chubb stated that if the City Clerk's office refuses to take your application then applicants can turn their applications into the Mayor's Office.

WHEREAS Ordinance 2357(B) section 9(c) states that "the clerk must set a 21 day application period during which applications may apply for a permit to operate a provision center". Ordinance 2357(B) section 9(h) states at the conclusion of twenty-one (21) day application period, the clerk shall begin processing applications for permits to operate provision centers;

WHEREAS Ordinance 2357(B) does not give the Mayor or City Council the authority to set the 21 day application period or the ability to accept applications on behalf of the City;

WHEREAS Ordinance 2357(B) cannot be modified for 18 months since it was a voter approved ordinance;

WHEREAS if the Mayor's Office accepted applications it would be a modification of the ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the City Council reaffirms that the City Clerk's Office is the only City of Pontiac office that can accept applications on behalf of the City of Pontiac per ordinance 2357(B) and prohibits the Mayor from accepting provisioning center applications and instructs the Mayor and City Attorneys to adhere to the ordinance.