

**CITY OF ROOSEVELT PARK  
CITY COUNCIL  
MEETING MINUTES**

May 17, 2010

Mayor Pro-Tem Buikema called the meeting to order at 7:15 p.m.

2010-067      **ROLL CALL**

**Present:** Mayor Rod Buikema, Council Members Al Lowe, David Martin, Laura Fitzpatrick, Eric Grimm, and Thomas Hasper

**Absent:** None

**Staff Present:** City Manager David Boehm, Assistant to the City Manager Anthony Chandler, Building and Zoning Administrator Tim Villanueva, Police Chief Bill Regan and Treasurer/Clerk Tammera Harmsen

2010-068      **INVOCATION**

Council Member Fitzpatrick provided the invocation.

2010-069      **PUBLIC COMMENT**

Ms. Sue Lumley – 1362 W. Norton Ave. stated she did not think it was appropriate for the Council to consider the late application for the vacant council seat. Ms. Lumley questioned why the public comments are received at the beginning of the meeting and not at the end.

Ms. Flo Shriver – 1336 W. Summit Ave. states she did not appreciate the City Attorney talking with the Mayor while she was speaking. Also, she stated that the City should enter into a contact with Norton Shores.

Mr. Bob Young – 3032 Roosevelt Rd. stated he does not think Council should accept the late application for the vacant council seat. He stated the information including the deadline, time and date was posted at the City Hall and a legal advertisement was placed in the local paper.

Ms. Holly Hughes introduced herself to Council as running for State Representative in the 91<sup>st</sup> district. She explained her background to the Council. Council Member Grimm asked Ms. Hughes a series of questions.

2010-070      **CONSENT AGENDA**

Council Member Fitzpatrick moved to approve the Consent Agenda with the addition of item (b) (1) – Consideration of Judy Van Westen Application for Vacant Council Seat. The motion was supported by Council Member Lowe and carried unanimously.

2010-071      **SECOND READING: MORATORIUM ON THE SALE OF MEDICAL MARIJUANA**

The Michigan Medical Marihuana Act (MMMA) was approved by Michigan voters on November 4, 2008 as Initiated Law 1 of 2008. It is a complex statute that deals with the full depth and breadth of registering patients receiving medical treatment via use of marijuana, possession of marijuana paraphernalia, growing marijuana and the commercial sale or dispensing of marijuana, just to name a few of its elements. As such a complex and emerging legal issue, it is only reasonable that the City of Roosevelt Park establish regulations to control the sale and dispensation of medical marijuana in order to protect the health safety and welfare of our citizens. The attached ordinance imposes a six month moratorium to allow for this matter to be more fully studied and to allow sufficient time to complete any necessary amendments to the City's Code of Ordinances.

According to the City Charter, each proposed ordinance amendment shall be introduced on first reading and adopted on second reading at the next regularly scheduled meeting. The effective date of an ordinance is ten (10) days after publication or less than ten (10) days if Council so determines.

Council Member Lowe moved to approve the proposed Ordinance Imposing a Moratorium on the Issuance of Permits for the Sale of Medical Marijuana. The motion was supported by Council Member Hasper and carried unanimously.

2010-072      **AMENDED VACANY POLICY**

Section 3.8 of the City Charter states that any vacancy occurring on the City Council shall be filled within thirty (30) days after such vacancy occurs using procedures established by the remainder of the City Council.

The new Policy would read as follow:

**The purpose of this policy is to provide for the filling of vacancies within the Council due to death, resignation, removed from office, move from the City, conviction of a felony or of misconduct in office under the City Charter, being judicially declared to be mentally incompetent, is absent from three (3) consecutive regular meetings of the Council, is absent from the City for sixty (60) days, unless excused by the Council for cause to be stated in the record of the Council proceedings. These procedures are adopted pursuant to Section 3.8 of the City Charter**

A.      **Council Vacancy**

The City Clerk will immediately, upon receiving a resignation from a member of the Council or upon a vacancy occurring for other reasons stipulated in the City Charter, establish a deadline allowing ten calendar

days for interested persons to submit an application for the vacant position. The vacancy will be posted at City Hall.

**B. Applications/Interviews**

The applications will be forwarded to all members of the Council, within five days following the deadline for applications. The Council may, at its discretion, consider a late application. The Council will at the next regular meeting or a special meeting, interview the applicants.

**C. Appointment**

The Council will select the individual to be appointed to the Council by a roll call vote with the appointment to be effective following the execution of the oath of office.

Council Member Lowe moved to approve the Amended City Council Vacancy Procedure as presented. The motion was supported by Council Member Martin and carried unanimously.

2010-071

**CONSIDERATION OF LATE APPLICATION FROM THOMAS PANIUCKI**

Consideration of late application for the vacant council seat from Thomas Paniucki which was received at City Hall on Friday, May 7, 2010 at 3:30 pm.

Council Member Lowe stated a deadline is a deadline. A legal notice was posted on the front door at City Hall as well as in the newspaper.

Council Member Lowe moved to dismiss the application for the vacant council seat from Thomas Paniucki. The motion was approved by Council Member Hasper and carried unanimously.

2010-072

**CONSIDERATION OF MS. JUDY VANWESTEN'S APPLICATION FOR VACANT COUNCIL SEAT**

Council Member Grimm stated based on his interpretation, Council has the discretion to appoint a new member under these circumstances. Council Member Grimm stated Ms. VanWesten has a right to an interview with the Council for the vacant position.

City Attorney Stapleton provided to the City Council an opinion letter as to his interpretation of the City Charter regarding Ms. VanWesten's eligibility for the vacant Council position. City Attorney Stapleton stated he does not believe Ms. VanWesten is eligible for this vacancy.

Council Member Grimm moved to approve the application and interview Ms. Judy VanWesten for the vacant seat on City Council. The motion was supported by Council Member Lowe and carried unanimously.

2010-073

**AUTHORIZATION: ALEX'S LEMONADE STAND**

A request was received from Alyssa Morin to hold the Second Annual Alyssa's Lemonade for Rori. The event is scheduled for June 12, 2010 from 10:00am to 3:00 pm. She would like to set up by the tennis courts on Roosevelt Rd. as last year. The request includes the waiver of the cost of a temporary sign permit which would be hung from June 6, 2010 to June 12, 2010 on the fencing of the tennis court facing Roosevelt Rd. This event was held last year with great success. The monies collected go to Alex's Lemonade Stand Foundation for Childhood Cancer Research.

Council Member Fitzpatrick moved to approve the request for the Second Annual Alyssa's Lemonade for Rori with fees waived for the temporary sign permit. The motion was supported by Council Member Lowe and carried unanimously.

2010-074

**INTERVIEWS FOR CITY COUNCIL VACANCY**

Mayor Buikema stated that all candidates will be asked a series of questions.

**Bob Grevious**

- 1.) Tell us about yourself?  
*Mr. Grevious stated he has lived in the Park 12 years. He stated he ran for a council position last fall and only lost by 2 votes. He is very passionate about kids and is involved in little league and volunteers where needed. Mr. Grevious stated he is very active with Mona Shores Schools.*
- 2.) Why do you want to be a member of the Roosevelt Park City Council?  
*Mr. Grevious stated he would like to see the community come together and get to know each other.*
- 3.) What interests you most about this opportunity/appointment?  
*Mr. Grevious stated he is passionate about the position. He stated he would like to be involved with City government and see the city more involved with the schools.*
- 4.) The Roosevelt Park City Council meets on the first and third Mondays of each month at 6:15 p.m. Is there anything that might prevent you from routinely making these meeting?  
*Mr. Grevious stated he self employed so he could make the meetings.*
- 5.) What steps do you follow to study an issue or problem before making a decision?

*Mr. Grevious stated he likes to hear all sides of an issue before making a decision. He stated residents should be informed as to what is happening.*

- 6.) What characteristic or quality do you think this Council should look for in deciding on a finalist for this vacancy?

*Mr. Grevious stated the Council should look for someone that is open minded, their own person, someone who thinks for themselves, and decides on issues for themselves.*

- 7.) In what area(s) do you feel you would need or like to have additional training or information to become a member of this City Council?

*Mr. Grevious stated he would like training on all issues. He would like to be up to date on finances of the City.*

- 8.) What do you think is the biggest challenge currently facing the City of Roosevelt Park?

*Mr. Grevious stated budgets, diversity of the people, the community is not involved. He stated he would like to see the community come together as a whole.*

- 9.) Which of these is a higher priority with the residents of the City? The size of their water bill or where we get our fire protection service from?

*Mr. Grevious stated fire protection.*

- 10.) Please share with us something that we may not have covered in this interview, but that you feel is important. Do you have any questions of us?

*Mr. Grevious stated he is a glass half full, things happen for a reason type of person. He stated you learn from mistakes and stay positive.*

Judy Van Westen

- 1.) Tell us about yourself?

*Ms. VanWesten stated she has lived in the Park since the age of 4. She stated she has been retired since 1996 as a MSU Extension Home Economist. She has worked as a liaison for Muskegon Community College. She stated she is a healthy and positive thinking person.*

- 2.) Why do you want to be a member of the Roosevelt Park City Council?

*Ms. VanWesten stated she has served the citizens for 9 years and enjoyed being involved with the Council and the community. She stated she would like to see community involvement among residents.*

- 3.) What interests you most about this opportunity/appointment?

*Ms. VanWesten stated she has a fresh attitude, was comfortable being on the Council and is missing it.*

- 4.) The Roosevelt Park City Council meets on the first and third Mondays of each month at 6:15 p.m. Is there anything that might prevent you from routinely making these meeting?  
*Ms. VanWesten stated attending meeting would not be a problem. She stated she had almost perfect attendance in her prior service.*
- 5.) What steps do you follow to study an issue or problem before making a decision?  
*Ms. VanWesten stated she does her homework. She stated she reads and discusses with others. Ms. VanWesten stated she listens to others and thinks about their answers.*
- 6.) What characteristic or quality do you think this Council should look for in deciding on a finalist for this vacancy?  
*Ms. VanWesten stated a Council Member should have energy, be a positive thinker, open minded and be a team player.*
- 7.) In what area(s) do you feel you would need or like to have additional training or information to become a member of this City Council?  
*Ms. VanWesten stated updates on what has occurred since she has left Council would be helpful .*
- 8.) What do you think is the biggest challenge currently facing the City of Roosevelt Park?  
*Ms. VanWesten stated monetary issues are paramount in making good decisions. She stated rentals, streets and communication with citizens are areas that are challenging.*
- 9.) Which of these is a higher priority with the residents of the City? The size of their water bill or where we get our fire protection service from?  
*Ms. VanWesten stated water bills.*
- 10.) Please share with us something that we may not have covered in this interview, but that you feel is important. Do you have any questions of us?  
*Ms. VanWesten stated she was grateful for the opportunity to visit.*

Robert Young

- 1.) Tell us about yourself?  
*Mr. Young stated he has lived in the park for 47 years. He stated he has been very involved in the community and with kids. He has been involved with the football club, band parents, choir, and baseball. He stated he is retired from UPS after 34 years and is very interested in the Park.*

- 2.) Why do you want to be a member of the Roosevelt Park City Council?  
*Mr. Young stated with the loss of his neighbor, the Mayor he realized he wanted to continue Jeff's legacy. He stated he has discussed this with his family and they supported his decision.*
- 3.) What interests you most about this opportunity/appointment?  
*Mr. Young stated he enjoyed his 9 years on the Council. He stated he has no hidden agenda and would like to see and be part of Council moving forward.*
- 4.) The Roosevelt Park City Council meets on the first and third Mondays of each month at 6:15 p.m. Is there anything that might prevent you from routinely making these meeting?  
*Mr. Young stated he would change another meeting date/day so it would not conflict with the Council times.*
- 5.) What steps do you follow to study an issue or problem before making a decision?  
*Mr. Young stated he would listen to all sides. He stated everyone will have different opinions. Communication is the key.*
- 6.) What characteristic or quality do you think this Council should look for in deciding on a finalist for this vacancy?  
*Mr. Young stated the Council should appoint someone that works well with others and has no hidden agenda He stated he uses other media to gather information.*
- 7.) In what are(s) do you feel you would need or like to have additional training or information to become a member of this City Council?  
*Mr. Young stated on the job training is the best. Maybe some training sessions to better communicate would be helpful.*
- 8.) What do you think is the biggest challenge currently facing the City of Roosevelt Park?  
*Mr. Young stated one of the biggest challenges is the water and fire contracts. He also stated the lack of revenue is an issue.*
- 9.) Which of these is a higher priority with the residents of the City? The size of their water bill or where we get our fire protection service from?  
*Mr. Young state the fire services are the priority because of the age of our residents .*
- 10.) Please share with us something that we may not have covered in this interview, but that you feel is important. Do you have any questions of us?

*Mr. Young stated the Council is a good group to work with and he feels he would be a good fit.*

Council Member Hasper asked Mr. Young who encouraged him to apply for this vacancy?

*Mr. Young stated residents contacted him to apply. He stated being part of the Council shows he cares for the City.*

2010-075      **SELECTION PROCESS AND APPOINTMENT: APPLICANTS FOR CITY COUNCIL VACANCY**

The City Council conducted a straw ballot count for the candidate for the vacant seat. The votes were tallied by the City Manager and City Clerk. Mr. Young received the most votes.

Council Member Grimm moved to appoint Mr. Robert Young to the vacant Council seat. The motion was supported and carried.

Roll Call: 5 Ayes, 1 Nay (Hasper)

Treasurer/Clerk Harmsen administered the oath of office to Robert Young for Council Member with the term expiring November 2012.

2010-076      **SELECTION OF MAYOR PRO TEM**

Mayor Buikema opened the floor for nominations for the vacant seat of Mayor Pro Tem expiring November 2010.

Mayor Buikema nominated Al Lowe for the office of Mayor Pro Tem for the City of Roosevelt Park.

There being no further nominations for the office of Mayor Pro Tem nominations were closed.

A roll call vote was taken of Al Lowe for Mayor Pro Tem of the City of Roosevelt Park for a term expiring November, 2010.

7 ayes, 0 nays,

Council Member Al Lowe was appointed Mayor Pro Tem.

Treasurer/Clerk Harmsen administered the oath of office to Al Lowe for Mayor Pro Tem with the term expiring November 2010.

2010-077      **COUNCIL COMMENTS**

Mayor Buikema encouraged all the applicants to run for Council seats in November.

Council Member Grimm stated all the applicants did a great job in the interviews and encouraged them to run in November.

Mayor Pro Tem Lowe stated residents who have lawn services need to be informed that the terraces must also be maintained.

2010-078

**DEPARTMENT HEAD REPORTS**

City Manager Boehm stated community activities, school functions and lemonade stands should all be seen as the positive attributes of Roosevelt Park.

City Manager Boehm stated public comment was at the beginning of the agenda giving residents the opportunity to make comments before agenda items are discussed.

Building and Zoning Administrator Villanueva stated Mike Lonnee was taken to court for failure to register 16 rental properties with the City. He was assessed \$1,300.00 in fines and costs.

2010-079

**ADJOURNMENT**

Mayor Pro Tem Lowe moved to adjourn the meeting at 8:30 p.m. The motion was supported by Council Member Martin and carried unanimously.

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Treasurer/Clerk Tammera Harmsen