

**VILLAGE OF CASSOPOLIS  
REGULAR COUNCIL MEETING  
September 9, 2019**

President Johnson called the Regular Meeting of the Cassopolis Village Council to order at 7:00 p.m.

**Roll Call:**

Council Members Present: Yoder, Parsons, Conner, Johnson, Williams, Sims and Wagner

Council Members Absent:

Pledge of Allegiance was given in unison.

**Presentation of Plaques for Miss Cassopolis Court**

**Consent Agenda:** Wagner motioned, seconded by Sims to approve the following consent agenda as presented:

- a. Regular Meeting Minutes – August 12, 2019
- b. Closed Session Meeting Minutes – August 26, 2019
- c. Workshop Meeting Minutes – August 26, 2019
- d. Approval of Invoices - \$235,580.07
- e. Approval of John Deere Equipment - \$35,247.90
- f. Approval of Resolution Incorporating Cassopolis Building Authority
- g. Approval of Incorporation of Cassopolis Building Authority

**Roll Call Vote:**

Ayes: Parsons, Conner, Johnson, Sims and Wagner

Nays: Williams and Yoder

Abstain:

Absent:

**Motion Carried.**

**Public Comment(s) on Agenda Items:**

Ted Gogol questioned the location of the C-2 zoning district and why dispensaries are not recommended to be in the I-2 Industrial Park. He was informed of the location and that the I-2 district cannot have direct retail in that area.

Mary from Helping Hands asked if the location of medical marijuana in the C-2 district would interfere with ordinances and state laws regarding marijuana being near the school and Woodlands. Village Manager Sarratore stated that ordinance can be altered to fit what the municipality wants and under state statute it is up to the municipality to create those ordinances.

Justin Smith expressed that the residents of this Village have voted for marijuana and believes it is much needed in this area.

**Department Reports:**

Clerk: See report.

Treasurer: See report.

Police/Code Enforcement: See report.

Building Inspector: See report.

Electrical Inspector: See report.

Plumbing/Mechanical Inspector: See report.

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DPW Superintendent: See report.  
Manager: See report.

Reports accepted as presented.

Council and Staff discussed:

- An approval policy for the Building Authority
- Banking services and insurance renewal
- DPW postings for new hires
- Pokagon sewer contracts and Semco forcemain break
- Results of asbestos research

**New Business:**

A. Street Light Contract (See Attachment 9): Williams motioned, seconded by Conner to approve the contract with Indiana Michigan Power Company to change out all the street lights to LED bulbs. This does not cost us anything and does not increase our rates.

**Motion Carried.**

B. Road Diet (See Attachment 10): Parsons motioned, seconded by Yoder to approve Resolution 2019-10, a resolution in support of M-60 Road Diet.

**Roll Call Vote:**

Ayes: Conner, Johnson, Williams, Sims, Wagner, Yoder and Parsons

Nays:

Abstain:

Absent:

**Motion Carried.**

C. Special Assessment (See Attachment 11): Sims motioned, seconded by Yoder to adjust the Stone Lake Weed Special Assessment on Parcel ID No: 14-041-215-014-00 and 14-041-215-015-00, 225 Lakeshore Dr., from Waterfront Developed to Waterfront Undeveloped for the 2019 tax bill and going forward and refund property owner \$360.58 for 2017-2018 tax bills. This was a mistake on the original assessment roll.

**Roll Call Vote:**

Ayes: Johnson Williams, Sims, Wagner, Yoder, Parsons and Conner

Nays:

Abstain:

Absent:

**Motion Carried.**

D. Medical Marijuana: Parsons motioned, seconded by Conner to amend the motion relating to the adoption of the recommendation by the Planning Commission that allowed for one medical marijuana license each for a Processor, Secure Transporter and Safety Compliance Facility to be located in the I-2 Zoning District during the August meeting, to approval of two licenses of each.

**Roll Call Vote:**

Ayes: Wagner, Yoder, Parsons, Conner and Johnson

Nays: Williams and Sims

Abstain:

Absent:

**Motion Carried.**

Williams motioned, seconded by Yoder to table the vote on medical marijuana grower licenses.

**Roll Call Vote:**

Ayes: Sims, Yoder and Williams

Nays: Wagner, Parsons, Conner and Johnson

Abstain:

Absent:

**Motion Failed.**

Parsons motioned, seconded by Conner to approve two medical marijuana grower licenses to be located in the I-2 Zoning District. Yoder believes there is a covenant that doesn't allow agricultural growth in that area and believes the farm lease was grandfathered in.

**Roll Call Vote:**

Ayes: Wagner, Parsons, Conner and Johnson

Nays: Yoder, Williams and Sims

Abstain:

Absent:

**Motion Carried.**

Parsons motioned, seconded by Conner to approve two medical marijuana dispensary licenses to be located in the C-2 Zoning District. Some Council members expressed the general C-2 district is too broad, but ordinance can be drafted with restrictions and a license cannot be issued until the ordinance is approved.

**Roll Call Vote:**

Ayes: Parsons, Conner, Johnson and Wagner

Nays: Yoder, Williams and Sims

Abstain:

Absent:

**Motion Carried.**

**Public Comments- Non-Agenda Items:**

Yoder asked about Halloween hours. Everyone was in agreement to have it from 6-8pm on the 31st.

Ted Gogol wanted to thank the Village and the Village Manager for their hard work regarding the mural on Broadway and State Street.

Sims asked about the grant given to Ruth Andrews for the mural on the Cass County Maintenance Garage building. Village Manager Sarratore stated that was given to her by the County.

Prosecutor Victor Fitz spoke on the medical marijuana vote in the Village limits and he thinks the Village made the worst mistake that he has seen in his career with that vote. He discussed the negative effects he believes it will bring to this community.

**Discussion Items**

Village Manager Sarratore discussed changing the Regular Council meeting time to 6:30 pm instead of 7 pm.

Wagner motioned, seconded by Sims to change the Regular Council meeting time to 6:30 pm.

**Motion Carried.**

Williams motioned, seconded by Sims to go into closed session to discuss the attorney opinion letter at 8:03 pm.

**Roll Call Vote:**

Ayes: Wagner, Yoder, Parsons, Conner and Johnson Williams, Sims,

Nays:

Abstain:

Absent:

**Motion Carried.**

Parsons motioned, seconded by Sims to come out of closed session at 8:57 pm.

**Motion Carried.**

Parsons motioned, seconded by Wagner to allow Mitchell Conner to do dual service; be a Trustee and DPW employee and to communicate this decision to the court and prosecutor. Council discussed addressing the language regarding dual service in the General Law Village Act.

**Roll Call Vote:**

Ayes: Yoder, Parsons, Conner, Johnson, Williams, Sims and Wagner

Nays:

Abstain:

Absent:

**Motion Carried.**

Wagner motioned, seconded by Sims to reaffirm the approval of the AFSCME Collective Bargaining Agreement.

**Roll Call Vote:**

Ayes: Parsons, Conner, Johnson, Williams, Sims, Wagner and Yoder

Nays:

Abstain:

Absent:

**Motion Carried.**

**Announcements:**

None.

**Adjournment:**

President Johnson declared the meeting adjourned at 9:02 p.m. by unanimous agreement.

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David L. Johnson, Village President

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Tonia Betty, Village Clerk