

CITY OF HUNTINGTON WOODS  
REGULAR MEETING OF THE CITY COMMISSION  
MINUTES  
**August 16, 2022**  
7:30 p.m.  
City Hall

Mayor Paul called the Meeting to order at 7:30 p.m.

**PRESENT:** Mayor Bob Paul, Mayor Pro Tem Elder, Commissioner Olsman  
Commissioner Rozell, and Commissioner Jenks

**ABSENT:** None

City Staff Present: City Manager Wilson,  
Finance Director/Treasurer Haan, and City Attorney Zalewski

**APPROVAL OF AGENDA**

Moved by Commissioner Rozell and seconded by Commissioner Jenks  
to approve the August 16, 2022 agenda as presented.

Ayes: Paul, Elder, Rozell, Jenks, Olsman

Nays: None

Absent: None

**The Motion Carried.**

**APPROVAL OF CONSENT AGENDA**

Moved by Commissioner Jenks and seconded by Mayor Pro Tem Elder  
to approve the August 16, 2022 Consent Agenda as presented.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

**The Motion Carried.**

**COMMUNICATIONS**

Moved by Commissioner Jenks and seconded by Commissioner Rozell to receive the resignation of Elizabeth Zerwekh from the Anti-Racism Advisory Committee thanking her for time served.

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

**The Motion Carried.**

**COUNTY COMMISSIONER AND ELECTED OFFICIAL REMARKS**

None

**PUBLIC PARTICIPATION:**

**Harold Stack – Huntington Woods resident:**

Noted the need for transparency with the use of City vehicles by City Commissioners.

**AWARD PRESENTATION:**

Mayor Pro-Tem Elder presented Jim Speir the 2022 Bob and Char Citizen of the Year Award noting thanks for his years of dedicated service to the Community.

**RESOLUTION R-36-2022:**

Matter of consideration to approve the 2022 Master Plan Update.

Brad Strader and Ann Marie Kerby from MKSK presented a summary of the Master Plan Update in its entirety for the City Commission.

Moved by Commissioner Olsman and seconded by Commissioner Rozell to approve the 2022 Master Plan Update.

**Public Comment:**

**Harold Stack – Huntington Woods resident:**

Questioned if the current road work includes the recommendations for storm water runoff noted in the Master Plan.

**Commissioner Comment:**

**Elder:**

Thanked Hank Berry and MKSK for addressing her technical questions with the memo they provided and is comfortable moving forward with the approval of the plan now that her noted questions and concerns have been incorporated.

**Jenks:**

Pleased to see the Woodward Corridor Phase III included in the update.

Ayes: Paul, Elder, Jenks, Olsman, Rozell

Nays: None  
Absent: None  
**The Motion Carried.**

**RESOLUTION R-37-2022:**

Matter of consideration to approve the appointment of Ethan Haan to the ICCA Board.

Moved by Mayor Pro Tem Elder and seconded by Commissioner Jenks Elder to approve Ethan Haan to the ICCA Board.

Ayes: Paul, Elder, Jenks, Rozell, Olsman  
Nays: None  
Absent: None  
**The Motion Carried.**

**RECEIVE AND FILE:**

Insurance Services Office (ISO) Report on Public Protection Classification (PPC)

Manager Wilson noted that the City of Huntington Woods has maintained the favorable ISO Public Protection Classification of 03 which only includes thirteen to fourteen percent of the country. This classification plays an important role in the underwriting process at insurance companies ultimately reducing insurance rates. He thanked Chief Pazuchowski and Deputy Chief Cudney of the Public Safety Department as well as Director Fortura and the Department of Public Works for their hard work with this process. This rating will remain in effect for three years.

Moved by Commissioner Olsman and seconded by Commissioner Jenks to receive and file the Insurance Services Office (ISO) Report on Public Protection Classification (PPC)

Ayes: Paul, Elder, Olsman Jenks, Rozell  
Nays: None  
Absent: None  
**The Motion Carried.**

**DISCUSSION/UPDATE:**

Manager Wilson provided an overview of the Initiation of Petition for Recreational Marihuana Facilities submitted to the City of July 25, 2022 by a group called “Say Yes to Huntington Woods.” The petition contained approximately 380 signatures from City residents. The petitions would initiate an ordinance to repeal Section 42-4 of the Huntington Woods Code of Ordinance entitled Marihuana Establishments in the City, amongst many other regulations and provisions.

Had the City certified these petitions this ordinance language would have gone before voters in the November 2022 election. Upon the review of the petitions and signatures the City identified a number of concerns. Primary amongst these concerns was the

regulatory language of the petitions. The petitions were drafted pursuant to section 6 of the Michigan Regulation and Taxation of Marijuana Act (MRTMA). Section 6 of MRTMA allows for such petitions to establish the number of recreational marijuana, but little else. City Administration felt that the ordinance language as submitted in the petitions significantly exceeded the authority granted under section 6 of MRTMA and accordingly should not be certified for the November ballot. In further research it was discovered that the same ordinance language and petition had been circulated and submitted to other municipalities in Oakland County, among them the City of Keego Harbor. The City of Keego Harbor had denied certifying the petitions due to the same findings that Huntington Woods had; that the petitions exceeded the authority allowed for under section 6 of MRTMA.

The petitioner filed suit in Circuit Court asking for a writ of mandamus to order Keego Harbor to place the matter on the ballot. A hearing on this matter was held on Friday, August 5, 2022 before Judge Phyllis McMillen. Judge McMillan found that the petition language did exceed what was allowed under section 6 of MRTM and denied the petitioners request for a writ of mandamus stating that the City of Keego Harbor rightfully declined to certify the petitions. Based on the findings and the opinion of Judge McMillan in the Keego Harbor case, City Clerk Barckholtz sent notice to the petitioner denying certification of the petitions for the November 2022 ballot on Monday, August 8<sup>th</sup>. As the Oakland County deadline for ballot proposals is today, August 16, 2022, the matter should be closed. He noted that a draft copy of the proposed ordinance language was provided to the Commission for review.

Manager Wilson further noted the suggestion has been made that the City re-examine Section 42-4 of the City's Municipal Code to determine if we wish to allow such facilities to locate within the City and if so under what conditions. The City could draft its own ballot proposal to ask residents if they want to modify Section 42-4 to allow said facilities. He is prepared to take guidance from the Commission as to proceed with this matter how best.

Attorney Zalewski supported Manager Wilson's accurate summary noting the statute only authorizes the petition to set the number of establishments within the City and the petitioner far overreached what was defined in the statute.

**Commissioner Comments:**

**Rozell:**

Noted that a person collecting signatures for this petition knocked on his door and misrepresented the intent what was actually being proposed. He further commented that regardless of his personal preferences the legalization of marijuana, dispensaries are not a good fit within the City limits especially because it is so accessible in the surrounding communities.

**Jenks:**

Noted he too had someone come to his door and mis-represent the intent of the petition. He also noted the ease of availability of dispensaries in neighboring cities and does not feel it is appropriate for the City of Huntington Woods.

**Olsman:**

Commended Manager Wilson on the handling the petition and noted the City should consider drafting their own ordinance to better control the number of dispensaries as well as the location within the City.

**Elder:**

Noted she would like to know how the legalization has impacted other communities who have allowed it but is glad the City has yet to allow marijuana because there are still gray undefined areas pertaining to the lawful placement of dispensaries in relation to private and pre-K schools.

No action was taken on this matter.

**BOARDS COMMISSIONS & COMMITTEE APPOINTMENTS:**

Hank Berry, Zoning Administrator, noted that Joseph Claya previously served on the Zoning Board of Appeals and is requesting the City Commission appoint him for the remainder of the term on the ZBA.

Moved by Commissioner Olsman and seconded by Commissioner Jenks to appoint Joseph Claya to the Zoning Board of Appeals for a partial term ending December 2022.

Ayes: Paul, Elder, Olsman Jenks, Rozell

Nays: None

Absent: None

**The Motion Carried.**

**CITY MANAGER’S REPORT**

- Noted the City led the County for voter turn out in the August 2, 2022 State Primary. Further, there were a few delays throughout the day due to the number of voters who had been issued absentee ballots but either lost or did not receive their ballot or decided to vote at the polls. That required the poll worker to contact the City Clerk to spoil the absentee ballot allowing them to vote in person ultimately slowing down the lines at the precincts. The Clerk’s office will continue to work on voter education relative to absentee voting for the November election.
- Road construction and the water main projects continue. There have been several water main breaks throughout the process but the City has

maintained pressure avoiding a boil water notice. The Nadine paving is complete with Borgman being close to completion.

- Noted the passing of City Manager Jack Schumacher – offered condolences to his family.
- Former Manager Mark Wollenweber will be receiving an award for distinguished service by the ICMA at their Annual Conference in Columbus Ohio.
- He will provide the public with the newly created City vehicle usage log upon request.

**ADJOURNMENT:**

Moved by Commissioner Rozell and seconded by Commissioner Jenks to adjourn the regular City Commission meeting.

Ayes: Paul, Olsman, Elder, Rozell, Jenks

Nays: None

Absent: None

**The Motion Carried, meeting adjourned at 8:42 p.m.**

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Heidi Barckholtz, City Clerk

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Robert F. Paul, III, Mayor