

City of Chiloquin  
City Council Meeting  
4/29/2014

Those Present:

Mayor: Joe Hobbs

Council members:

Raymond Kirk: Absent

Jill Prewitt

Kathy Erion

Carolyn Blackmon

Julie Trevino

Jeff Mitchell

Others:

Teresa Foreman: Recorder

Sam Ramirez: City Attorney

It is the 29th day of April 2014. As presiding officer, I hereby call this regular meeting of the Chiloquin City Council to Order. Please note that this meeting is being recorded.

Following the confirmation and approval of the agenda the council will consider business coming before it. Public input shall be limited to matters pertaining to the business of the City, and to the transactions of City business. In the event you have matters of personal business, or issues involving personality or performance they should be submitted in writing to the City Hall office to be forwarded to the City Council for further review.

Under no circumstance is public input or comment permitted during the period of council deliberation.

During the period of public input, public comments are limited to three (3) minutes per person, no more than ten (10) minutes per topic. Maximum time for all public input shall be limited to thirty (30) minutes total.

As presiding officer I reserve the right to limit all input and to rule out of order persons, whom by testimony are deemed to be abusive, disruptive or obscene.

In addition I shall not accept testimony of a discrediting nature.

The Mayor called the roll. Present: Carolyn Blackmon, Jill Prewitt; Jeff Mitchell, Kathy Erion and Julie Trevino.

We do have a quorum; this meeting is now in order.

The Mayor called the meeting to order at 7:12 PM.

4/29/2014

The attorney stated that he wanted to point out that under old business, it states 'draft' contract of the I and I study. This contract is not the draft but the final one to be approved.

**Motion to accept the agenda as amended of 4/29/2014 was made by council member Blackmon, seconded by council member Trevino. Ayes: Blackmon, Mitchell, Prewitt, Erion and Trevino.**

**Motion passed.**

**Motion to accept the minutes of 4/14/2014 of the Regular council meeting as published and to forego the reading was made by council member Erion, seconded by council member Mitchell. Ayes: Blackmon, Mitchell, Erion, Prewitt and Trevino.**

**Motion passed.**

**City Bills:**

**Motion to pay the bills for 4/29/2014 in the amount of \$ 9,941.93 was made by council member Blackmon, seconded by council member Erion. Ayes: Blackmon, Prewitt, Mitchell, Erion and Trevino.**

**Motion passed.**

**City Correspondence:**

Council looked over the correspondence.

There is a letter from the forest service about connecting sewer service to the City line. The Mayor asked the City attorney if he had spoken with the City engineer about this. The attorney answered that he had spoken with Jeremy and he, the attorney, feels it is very important the City send a letter to the forest service indicating agreement with their proposal. The letter needs to come from the Mayor.

Discussion. This would be a lift station that would be at the forest service and Melita's would connect into that instead of having their own.

**Motion we write the Forest Service a letter thanking them for their interest and signal that we are in approval was made by council member Erion, seconded by council member Blackmon.**

**Discussion:**

**Several members expressed several other things they would like in the motion. The attorney suggested adding 'reference to their letter dated April 14<sup>th</sup> and we are in agreement with their proposal and agree to accept responsibility as set forth'**

**Council member Blackmon withdrew her second so that they could amend the motion.**

**Motion that we write a letter to the Forest Service accepting their proposal and to alert them that we will be bound by the verbage of the letter of April 14<sup>th</sup> was made by council member Erion, seconded by council member Blackmon.**

**Discussion. Some members want the wording changed a little. Change ‘bound by verbage’ to ‘agree to their proposal as set forth in their letter to us dated April 14<sup>th</sup>’**

**The Mayor asked for the question. Mitchell called for the question.**

**Ayes: Blackmon, Prewitt, Mitchell, Erion and Trevino.**

**Motion passed.**

Council member Prewitt asked who would write the letter. The attorney stated he could write it.

**Old Business:**

Medical Marijuana Dispensary Proposed Moratorium:

Lengthy discussion:

Council member Erion went over the proposed Ordinance and discussed each reason put forth as why there should be a moratorium. Erion disputed every reason, expressing her opinions and stating that most of these reasons were already addressed by the State.

Council member Blackmon feels that the council needs to place a moratorium for a small amount of time to allow for more research.

Council member Mitchell stated that state law allows additional regulations and he feels the council needs to take serious consideration of this.

Several members considered questions and legalities of such things as hours of operation, taxing, placement of dispensaries etc.

Council member Trevino feels that since the State has allowed additional time for research, the council should take the time to make our own regulations.

Erion feels the research should have already been done. Both council members Blackmon and Trevino stated they had done a lot of research but feel they need to take more time in this decision.

**Motion to not institute a moratorium and that we follow the laws of the State of Oregon in this regard was made by council member Erion.**

**Mayor Hobbs asked if there was a second. He repeated the request for a second.**

**Motion died for the lack of a second.**

**Motion to adopt an Ordinance Imposing a Moratorium on the acceptance and processing of applications for the issuance of permits related to businesses that seek to dispense medical marijuana and on the establishment or operation of such business in the City of Chiloquin and that the moratorium be in effect 90 days from this evening. During this 90 days the city would be allowed to look at how we would like to regulate, and businesses that would be looking at moving into this, matters such as business licenses; permits; developmental proposals; and other actions we believe need to be addressed. It is important that we take time to thoroughly consider this was made by council member Mitchell, seconded by council member Trevino.**

**Ayes: Mitchell, Trevino and Blackmon. Opposed: Erion. Abstained: Prewitt because she has personal reasons and has to keep the personal out of it.**

**Motion passed.**

Council member Mitchell stated that when he was reading the Ordinance title he inadvertently stopped short of saying ‘and declaring an emergency’ but that was part of the motion.

Council member Mitchell stated that he wanted to point out to the council that he feels it is very important that they take these 90 days very seriously and look at this issue and consider how they want to impose regulations etc. Also taking input from the community.

Because the first stating of the motion left out the emergency clause, Council member Trevino withdrew her second.

**Council member Mitchell amended his motion to add ‘and declaring an emergency’, seconded by council member Trevino.**

**Ayes: Mitchell, Trevino and Blackmon. Opposed: Erion. Abstained: Prewitt because she has personal reasons and has to keep the personal out of it.**

**Motion passed.**

**Amended Motion will read:**

**Motion to adopt an Ordinance Imposing a Moratorium on the acceptance and processing of applications for the issuance of permits related to businesses that seek to dispense medical marijuana and on the establishment or operation of such business in the City of Chiloquin, declaring an emergency and that the moratorium be in effect 90 days from this evening.**

**During this 90 days the city would be allowed to look at how we would like to regulate, and businesses that would be looking at moving into this, matters such as business licenses; permits; developmental proposals; and other actions we believe need to be addressed. It is important that we take time to thoroughly consider this was made by council member Mitchell, seconded by council member Trevino.**

**Ayes: Mitchell, Trevino and Blackmon. Opposed: Erion. Abstained: Prewitt because she has personal reasons and has to keep the personal out of it.**

**Motion passed.**

Council member Prewitt asked what it means to declare an emergency. She was answered that declaring an emergency allows it to go into effect immediately. The State has imposed a deadline of May 1<sup>st</sup>. We need this in place by then.

Council member Blackmon pointed out that the State had to be notified by the deadline that the City put a moratorium on the dispensaries.

Trevino asked if the City allows a dispensary and then later decides they do not want one, can they rescind that permit. No one here knows. So that is something they will look into.

Council member Erion stated that since the council decided to place a moratorium she would like to see specific assignments or specific direction.

Trevino will look into the legality of withdrawing a license if there is a problem. Prewitt asked if we would be asking the citizens.

Mitchell proposed that the council bring back their concerns and ideas to the next meeting so we can start working through the process.

**Contract for the I & I study.** The City attorney, Sam Ramirez, reported that he reviewed the only bid proposal submitted. This was submitted by Adkins' Engineering. Adkins Engineering is also the City's engineer. Ramirez feels it would be appropriate to continue with this firm. Mr. Ramirez and Jeremy Morris, Adkins Engineering, have discussed Adkins proposed contract. It is Mr. Ramirez' opinion that the contract is good and the City should sign it tonight so we can go forward on this project.

**Motion to accept the contract agreement with Adkins Engineering to do the I & I study was made by council member Blackmon, seconded by council member Erion. Ayes: Blackmon, Erion, Mitchell, Trevino and Prewitt.**

**Motion passed.**

The Mayor signed the contract.

**Public Input:**

Dennis Jefcoat, Klamath County resident: Mr. Jefcoat commended the council for making an intelligent decision tonight. Dennis feels that the area will only be able to have one dispensary, thus a franchise. Who's getting the money? How will council decide who that person will be? A lottery? He is trying to keep the council straight and following the law. He would like the council to study the logistics of where a dispensary can go in this community. If there is only room for one or two, how will the City let that be known? It should go state wide. Will it be for bid? For the one and only license in the City. Dennis wants the City to use this to their advantage and make some money off this.

One other point Dennis wants to state. He asked if the City belonged to the department of administration services of the state? You can post notices there such as for bids for projects. Dennis stated it is a small fee. For the Vector it is \$50.00 per year. For the City it may cost a couple hundred. It opens you up to government surplus also. All you have to do is attend a four hour class and sign up as a council.

Dennis thanked the council in allowing him to go over the allotted three minute time limit.

Richard Twamley, City Resident. Proposing to the council they get a microphone. The audience cannot hear them. Also, he stated that the council pays the attorney so should not argue with his decision.

**Motion to adjourn was made by council member Mitchell, seconded by council member Erion. Ayes: Blackmon, Mitchell, Prewitt, Erion and Trevino.**

**Motion passed.**

**8:18 Meeting adjourned**

Signed

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Joe Hobbs, Mayor

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Attest: Teresa Foreman, City Recorder