

Council Present:

Omar Bowles
Brent Gifford
Ted Romoser
Jane Vincent

Holly Campbell
Adam Pelatt
Dave Stram

Staff Present:

Michelle Amberg
Roberta Tharp
Layli Nichols
Cliff Bellew
Madeline Phillips
Maia Hardy

City Administrator
City Recorder
Finance Director
Public Works Director
Planning Tech
RARE Participant

Council Absent: 0

Press: 1 – Creswell Chronicle, Scott Olson

Audience: 6

The Special City Council meeting was called to order by Mayor Dave Stram at 6:04 pm and the Pledge of Allegiance was given.

Public Forum –

No one from the audience came forward to speak.

Mayors Report

Mayor Stram reported that Saturday's Goal Setting Session went very well.

Council Action Items

- i. Ordinance 484 – An Ordinance Establishing A Tax on the Sale of Marijuana and Marijuana – Infused Products in the City of Creswell.

Councilor Romoser asked if this Ordinance will act as a placeholder so the City will have a process in place should the Marijuana Measure pass at the general election. Ms. Amberg responded that this Ordinance establishes that the Council is creating the intent to set a tax on the sale of marijuana and related products. The Resolution (following agenda item) will be the mechanism that sets the tax rate should the Council adopt Ordinance 484.

A discussion ensued regarding how the Council can revisit either the Ordinance or the Resolution at any given time to make amendments to or repeal the documents. Further discussion was held on the possibility of banning dispensaries. Ms. Amberg noted there are cities who have taken that course of action because they believe that marijuana is a federal issue and it is still considered an illegal activity. Those municipalities won't let marijuana businesses operate in their jurisdiction as they consider them in conflict with federal laws.

Councilor Vincent noted that she would like to see a stiffer penalty/fine imposed for violations of the proposed code. It is proposed at \$200 per day in which the violation is caused or permitted to exist as outlined in the penalty section.

Omar Bowles moved and read twice by title, Jane Vincent seconded that the City Council adopt Ordinance 484, An Ordinance Establishing a Tax on the Sale of Marijuana and Marijuana-Infused Products in the City of Creswell. Councilor Campbell asked how soon the Ordinance would go into effect. Ms. Amberg responded "thirty days". Councilor Romoser asked for clarification on a statement City Attorney Ross Williamson made to the council during his presentation on the Ordinance regarding the authority to impose taxes on this and there could be action in the future, making us aware of that. Ms. Amberg said it is possible, and noted Cave Junction has filed suit against the state citing their local rule preempted in the action that the state took with marijuana. A hearing has been held in which Cave Junction prevailed. It is expected the State will file an appeal. Voted on and the motion carries unanimously.

- ii. Resolution 2014-21 A Resolution Establishing Tax Rates for the Sale of Marijuana and Marijuana-Infused Products in the City of Creswell

Councilor Pelatt asked why the tax rate is set at zero. Ms. Amberg stated at the current time we do not have staff capacity to implement and collect the tax. This resolution will act as a placeholder that establishes the tax and once the State rules on the taxing issue we can change the tax rate and possibly a mechanism will be put in place that the City could piggyback on to use the states methodology; the state would collect it and return it to us. Councilor Pelatt asked if the Council will be addressing a business license and tax rate in the near future. Ms. Amberg stated it is set for discussion at the Joint Council/Planning Commission work session scheduled for November.

Councilor Gifford moved Councilor Bowles seconded that the City Council adopt Resolution 2014-21 A Resolution of the City Council Establishing Tax Rates for the Sale of Marijuana and Marijuana-Infused Products in the City of Creswell. Voted on and the motion carries unanimously.

- iii. Authorization for the City Administrator to enter into an Agreement with Portland State University (PSU) to perform a Policing Study providing budgetary direction to cover the cost of the study.

Ms. Amberg reported that the Agenda Item Summary provided in the Council Packet provides a very good overview of the proposal. PSU is proposing the study will take six months and will be completed by May 15, 2015 with the total cost being \$32,580. Dr. Kent Robinson will be the project manager.

Councilor Campbell asked if the Council will have to go out for a supplemental budget as this was not include in this fiscal years budget. Ms. Amberg said she we would be bringing forth a midyear budget adjustment.

Councilor Romoser asked who would be in charge of a special district should that be the finding of the study and Ms. Amberg responded that would be something that would need to be decided.

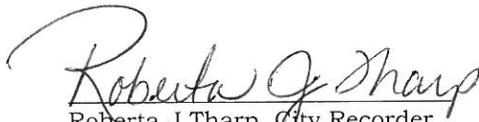
Councilor Gifford moved Councilor Bowles seconded that the City Council authorize the City Administrator to enter into an Intergovernmental Agreement with Portland State University Center for Public Service to perform a Policing Study for the City of Creswell in an amount not to exceed \$32,580 and direct staff to move forward with the process to utilize revenue sharing funds to pay for this study.

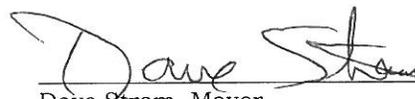
Mayor Stram asked what portion of the State Revenue Sharing Funds would be used. Ms. Amberg stated her recommendation would be they would come from the 2nd Floor Improvements to City Hall.

Voted on and the motion carries unanimously.

Adjournment

There being no further business to come before the council, Mayor Stram adjourned the Special meeting at 6:29 pm.


Roberta J Tharp, City Recorder


Dave Stram, Mayor