



**CITY OF CORNING  
SPECIAL JOINT CITY COUNCIL  
AND  
PLANNING COMMISSION AGENDA  
TUESDAY, MAY 30, 2017  
CITY COUNCIL MEETING  
HAS BEEN MOVED  
TO  
WOODSON ELEMENTARY SCHOOL  
GYMNASIUM  
N 150 TOOMES AVENUE  
(CORNER OF TOOMES & BLACKBURN AVENUES)**

**A. CALL TO ORDER: 6:00 p.m.**

**B. ROLL CALL:**

**Council:** Darlene Dickison  
Dave Linnet  
Jose "Chuy" Valerio  
Robert Snow

**Mayor:** Douglas Hatley, Jr.

**Planning Commission:** Frank Barron  
Melodie Poisson  
Brant Mesker  
James Pendergraft  
Diana Robertson

**Chairperson:**

All members of the City Council were present with the exception of Councilor Linnet who left for a fire call; Planning Commissioners Poisson and Mesker were present; absent were Robertson, Barron and Pendergraft.

**C. PLEDGE OF ALLEGIANCE: Led by the City Manager.**

**D. INVOCATION: Led by Mayor Doug Hatley.**

**E. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:** If anyone in the audience wants to speak on an item not already on tonight's Agenda, please come to the podium, identify yourself and briefly present your information to the Council. If the matter requires formal action by the Council, the law requires that it be placed on the printed Agenda for a future meeting so that interested members of the public will have the chance to appear and speak on the subject.

For those wishing to speak on an item listed on tonight's agenda, please sign up on the speaker list with the City Clerk. Following introduction of the item by Staff, the Mayor will then call those individuals by name in the order of the listing to speak. **EACH SPEAKER IS ALLOWED ONE THREE (3) MINUTE TIME FRAME IN WHICH TO SPEAK ABOUT THE ITEM AT HAND. UPON CLOSURE OF THE PUBLIC COMMENT PERIOD, NO FURTHER COMMENTS WILL BE ACCEPTED FROM THE AUDIENCE.** The City Council will then deliberate and provide Staff with direction.

The announcement was made for anyone wishing to speak tonight, please sign the signup sheet located at the Council table. Also, everyone wishing to speak will be given a chance to speak, however everyone must be respectful of the speakers and those speaking must address the Council, not the audience.

**F. REGULAR AGENDA:**

**1. Proposition 64 and possible cultivation and retail sales of Marijuana within the City of Corning, discussion and possible action.**

Planning Consultant John Stoufer presented the current City Municipal Code regulations in relation to Ordinance 639 (cultivation of medical marijuana) and Ordinance 645 which dealt with Medical Marijuana Dispensaries. These Ordinances pertain to Medical marijuana only, they do not refer to recreational marijuana use.

City Manager Miller provided a brief presentation regarding Prop. 64 specifying is allowed, applicable regulations/restrictions, taxation, and what other Cities are doing. She stated that the City has the ability by law to regulate outdoor personal cultivation, retail sales, etc. She also presented the prohibitions outlined in Prop. 64 such as use locations i.e. the proximity to schools, use within a vehicle, etc.

She announced that tonight the Council will address only retail sale and outdoor cultivation. The other issues will be addressed at a future meeting. She stated that the City can regulate some of these items, however if the City chooses not to act, non medical marijuana retail sales will be allowed within the City.

Councilor Linnet rejoined the meeting at 6:21 p.m.

City Manager Miller discussed concerns related to retail sales and outdoor personal cultivation such as odor, increased crime, etc. and stated that the data she has reviewed. The social impacts are similar to those associated with alcohol use. She then relayed information received from surrounding communities such as Willows, Orland, Chico, Shasta Lake City, Sacramento, the County of Tehama, etc. on how they are dealing with this issue.

**City Attorney Jody Burgess:** Informed the Council of the 3 regulatory processes that apply to commercial non-medical marijuana and the required permitting requirements; i.e. State and Local Licensing, Security obligations, Health and Safety Standards, Zoning, etc. that will apply to dispense, transport, grow/cultivate (indoor/outdoor), and taxation through voter approval, etc.

**Police Chief Jeremiah Fears:** Stated that there has been a minor increase in marijuana instances. He stated that staffing will be an issue as well as training and education.

**Ross Turner:** The Federal Standards maintain sales, growth etc. as an illegal action; if the City allows dispensaries will the City be acting illegally? Economically, if we pursue this, what are the costs associated with the allowance of dispensaries, etc.?

**Jamie Garso-Kerr (Owner of a dispensary in Shasta Lake City):** Stated the reasons behind her decision to open a dispensary and stated that prior to opening her dispensary she did a lot of outreach to her City Council, the Chamber of Commerce, etc. She also provided information on her organization, hurdles encountered, etc.

**Susan Price:** Stated she is opposed to retail sales of marijuana and the outdoor cultivation in Corning. She doesn't believe that the City of Corning has the resources (staff time, etc.) necessary to address issues related to the retail sale and outdoor cultivation. She believes that the City already has issues that need to be addressed.

**John Eller:** Stated that he believes this is a possible opportunity for the City rather than having the possible revenue go to surrounding Cities. It is here and we currently deal with it and the crime associated with it, such as the black market which also provides other drugs such as heroine, etc.

With no further comments the public comment period is closed.

**Council discussion:**

Councilor Snow stated he would like to see the City move forward with a plan because he would like to have a safe and heavily regulated place where it can be purchased rather than in a park from someone that isn't regulated. Planning Commissioner Robertson stated if the City does allow this she would like to see it heavily regulated. Councilor Dickison stated that it is here and we need to regulate it heavily. Councilor Linnet stated that as a grandparent he is against it, however if it gets rid of the black market he would like to see it regulated.

**City Attorney Jody Burgess:** In response to Mr. Turner's question, yes it is still illegal by Federal Law however he stated that it will not be enforced by the Federal Government if regulated by the State.

**Mayor Hatley:** Whether we like it or not it is here. Do we regulate or turn a blind eye...he thinks the City should take the bull by the horns and regulate it.

**Planning Commissioner Poisson:** Stated she feels sad that as adults, instead of leading by example, are considering stating that the use of marijuana, a mind altering drug, is okay by allowing the sale of it in our City.

**Planning Commissioner Mesker:** Stated that he believes that if it is approved it needs to be heavily regulated. He further stated that he believes the revenue received will be used to police the use rather than to benefit the City.

**Councilor Snow:** Stated that he has known too many people affected by laced dope which has left permanent damage. It is here, if we can legitimize and obtain control over the sales by providing strong regulations it could deter black market sales and the sale of altered marijuana.

Planning Consultant Stoufer confirmed his notes on direction provided by the City Council.

Councilor Snow moved to directed Staff to provide Council with proposed regulations for allowing a Dispensary within the City. Councilor Linnet seconded motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

Councilor Snow moved to amend the Medical Marijuana indoor only cultivation to allow for recreational use. Councilor Linnet seconded the motion. **Ayes: Hatley, Dickison, Linnet, Valerio and Snow. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**G. ADJOURNMENT!: 7:14 p.m.**

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**Lisa M. Linnet, City Clerk**