



# City of Bethel, Alaska

## Marijuana Advisory Committee Agenda

Special Meeting **July 7, 2016 – 6:15 p.m.** City Hall 300 State Highway

Maggie Ryan  
Committee Chair  
Term Expires 12/2017

Mary C. Nanuwak  
Vice Committee Chair  
Term Expires 12/2017

Kerri Fox  
Committee Member  
Term Expires 12/2017

Tom McCallson  
Committee Member  
Term Expires 12/2017

Pat Jennings  
Committee Member  
Term Expires 12/2017

Vacant

Zach Fansler  
Council Rep  
Term Expires 10/2016

Courtney Trammell  
Alternate Committee Member  
3 Year Term

Vacancy  
Alternate Committee Member  
3 Year Term

Ted Meyer  
City Planner  
Ex-Officio  
Recorder  
543-5306

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PEOPLE TO BE HEARD – THREE MINUTES PER PERSON**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE JUNE 8, 2016 MEETING MINUTES**
- VI. UNFINISHED BUSINESS.**
- VII. NEW BUSINESS**
  - A. Committee nomination and vote for new Chairperson
  - B. Consider two proposed propositions regarding the sale of marijuana for the October 2016 Bethel ballot.
- VIII. CITY PLANNER'S REPORT**
- IX. MEMBER COMMENTS**
- X. ADJOURNMENT**

# City of Bethel, Alaska

## Marijuana Advisory Committee Minutes

June 8, 2016

Special Meeting

Bethel, Alaska

### I. CALL TO ORDER:

A special meeting of the Marijuana Advisory Committee was held on June 8, 2016 at 6: 15 pm in the City Hall Council Chambers conference room, in Bethel, Alaska. Committee Chair Maggie Ryan called the meeting to order at 6:27pm.

### II. ROLL CALL:

Compromising a quorum, the following members were present for roll call: Kerri Fox who teleconferenced into the meeting, Tom McCallson, Pat Jennings, Zach Fansler, Maggie Ryan, and Courtney Trammel who arrived at 6:36. Mary Nanuwak was absent. Also present was Ex-Officio member and recorder, Ted Meyer, Planning Director.

### III. PEOPLE TO BE HEARD: None.

### IV. APPROVAL OF AGENDA:

#### MOTION TO APPROVE THE AGENDA OF June 8, 2016

<b>MOVED:</b>	Zach Fansler	Motion to approve the agenda.
<b>SECONDED:</b>	Pat Jennings	
<b>VOTE ON MAIN MOTION</b>	All in favor 5 yes and 0 opposed	

### V. APPROVAL OF THE May 16, 2016 MEETING MINUTES:

<b>MOVED:</b>	Pat Jennings	Motion to approve the MINUTES.
<b>SECONDED:</b>	Zach Fansler	
<b>VOTE ON MAIN MOTION</b>	All in favor 5 yes and 0 opposed	

### VI. UNFINISHED BUSINESS:

- A. Review city staff comments and edits of Marijuana Ordinance: The Committee reviewed the comments and edits and made two motions for additional edits.

#### MOTION TO DELETE ENTIRE SECTION 5.10.190: LIMITATION ON TYPE AND NUMBER OF MARIJUANA FACILITIES

<b>MOVED:</b>	Courtney Trammel	Motion to delete entire section 5.10.190: Limitation on type and number of marijuana facilities.
<b>SECONDED:</b>	Tom McCallson	
<b>VOTE ON MAIN MOTION</b>	All in favor 6 yes and 0 opposed	

**MOTION TO CHANGE SECTION 5.10.150 HEADING FROM "OPEN CONTAINER" TO "PUBLIC CONSUMPTION" AND REPLACE THE SECTION CONTENT TO READ AS: (see below)**

<b>MOVED:</b>	Tom McCallson	<b>MOTION TO CHANGE SECTION 5.10.150 HEADING FROM "OPEN CONTAINER" TO "PUBLIC CONSUMPTION" AND REPLACE THE SECTION CONTENT TO READ AS FOLLOWS:</b> <b>5.10.150 Public Consumption</b> A. It shall be unlawful to consume marijuana on the public streets, sidewalks, alleys, parks or other public places throughout the City. B. Nobody is allowed to operate a motor vehicle while under the influence of marijuana. C. Marijuana is permitted on private residential property, with the consent of the owner or legal occupant of the property (see 17.38.020)
<b>SECONDED:</b>	Kerri Fox	
<b>VOTE ON MAIN MOTION</b>		
		All in favor 6 yes and 0 opposed

**VII. NEW BUSINESS:** none

**VIII. CITY PLANNER'S REPORT**

**IX. MEMBER'S COMENTS:**

Chairperson Maggie Ryan stated this is her last meeting as she is moving from Bethel.

**X. ADJOURNMENT**

**MOTION TO AJDOURN THE MEETING**

<b>MOVED:</b>	Tom McCallson	Motion to adjourn the meeting at 8:31 pm.
<b>SECONDED:</b>	Pat Jennings	
<b>VOTE ON MAIN MOTION</b>		
		All in favor 6 yes and 0 opposed

The next meeting date was scheduled for July 21, 2016 at 6:15pm.

ATTEST:

\_\_\_\_\_  
Ted Meyer, Ex-officio/recorder

\_\_\_\_\_  
Maggie Ryan, Chair

**MEMO**

FROM: Ted Meyer, Planner  
TO: Marijuana Advisory Committee  
SUBJECT: Objective of July 7, 2016 Special Meeting  
DATE: 7/1/16

The objective of this meeting is to consider the attached memo which corresponds with the attached Ordinance.

The City Clerk will be presenting the City Council with the attached ordinance minus the second proposition question at the **July 12**, Regular Council meeting. If the Marijuana Committee is adamant in including the second question, an amendment would have to be made to the document on **July 26th**.

# City of Bethel, Alaska

---

City Clerk's Office

## **MEMORANDUM**

TO: City Council Members  
FROM: Lori Strickler  
DATE: July 1, 2016  
SUBJECT: Propositions Related to Marijuana

At the request of Council Member Fansler, I have prepared an ordinance presenting two questions to the Council for their approval/placement on the City of Bethel's Regular Election Ballot.

The first question, "Shall the City of Bethel adopt a local option to prohibit the sale or importation for sale of marijuana and any marijuana products," comes direction from 3 AAC 306.200. Local options. This question is in the proper form for the ballot question-no issue.

The second requested proposition states "Shall the City of Bethel prohibit the operation of an onsite marijuana consumption establishment such as a marijuana club or bar."

The State of Alaska does not have regulations pertaining to marijuana clubs or bars and have provided statements to reporters that they consider these establishments illegal.

It would be my recommendation to omit this questions from the Ordinance until such time the State of Alaska has adopted regulations pertaining to this type of operation.

Introduced by: Council Member Fansler  
Date: July 12, 2016  
Public Hearing: July 26, 2016  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #16-21**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, ALASKA, AT THE CITY OF BETHEL REGULAR ELECTION, OCTOBER 4, 2016, BALLOT PROPOSITION ONE LOCAL OPTIONS ON MARIJUANA**

**SECTION 1. Classification:** This ordinance is not a permanent ordinance and shall not become part of the Bethel City Code.

**SECTION 2. ELECTION** An election is to be held on October 4, 2016, in and for the City of Bethel, for the purpose of submitting a ballot proposition to the qualified voters of the City of Bethel for approval or rejection. The proposition must receive a majority vote of the qualified voters in the City of Bethel voting on the question to be approved. The Proposition shall be substantially in the following form:

#### **SECTION 2A. PROPOSITION ONE**

**Shall the City of Bethel A dopt a local option to prohibit the sale or importation for sale of marijuana and any marijuana products? (Ordinance 16-XX)**

Explanation:

A "Yes" vote will prohibit the sale and importation of marijuana and marijuana products in the City of Bethel.

A "No" vote will allow for the sale and importation of marijuana and marijuana products in the City of Bethel.

**SECTION 3. BALLOTS** The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other ballot propositions, and the following words shall be added as appropriate and next to a square provided for marking the ballot for voting by a machine.

PROPOSITION NO. \_\_\_\_\_

Yes

No

Introduced by: Council Member Fansler  
Date: July 12, 2016  
Public Hearing: July 26, 2016  
Action:  
Vote:

**SECTION 4. Effective Date.** This Ordinance shall become effective upon the approval by the City Council.

Section 2A shall become effective December 1, 2016 after ratification by the qualified voters of the City of Bethel voting on the question at the October 4, 2016 City of Bethel Regular Election.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA,  
THIS \_\_\_ DAY OF JULY, 2016, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

To: Ann Capela, City Manager  
From: Ted Meyer, Planner  
Subject: June 2016 Activity Report  
Date: June 30, 2016

---

### **Marijuana Advisory Committee**

Two sections of the draft ordinance were edited by the Committee at the June 8 meeting.

### **Mapping**

Sent the City Attorney's edits of the proposed mapping contract with WHPacific for Zoning and Land Status map work to WHP for review. The accepted all edits and returned the signed copy back to the City.

### **Code Enforcement**

Responded to complaints regarding code violations. Had one vehicle located on city property (at the dumpster site on Ptarmigan Road at Tundra Ridge) towed to the Public Works lot. The vehicle posed a traffic hazard by significantly blocking the line of sight from vehicles coming from the west.

### **Site Plan Permits**

We are processing many Site Plan Permit applications. Most involve fill for existing pads. 42 have been approved to date.

### **Minor Plats**

Approved a Minor Re-plat on Ptarmigan Road.

### **ONC Proposed Right of Way to Lot 15**

Coordinating with the City Attorney and RPK Engineering for getting proper documentation for an agreement between ONC and the City for the ROW/easement.

### **FEMA Risk Map Update**

DCRA, Homeland Security, and FEMA staff came to Bethel on June 15 to update the map used in the National Flood Insurance Program for Bethel. Various city department staff and citizens participated in the work.

### **Planning Commission Business**

1. The Conditional Use Permit hearing for alcohol sales at Baba's was held at a Special Meeting on Thursday, June 9. The quorum was lost during the meeting due to a conflict of interest realized during one of the public testimonials. The hearing is to be continued on the July 21 PC meeting date.
2. Code Amendment  
Preparing a draft ordinance to amend the BMC by designating which City Zoning Districts will allow marijuana facilities (and requiring a Conditional Use Permit). This amendment will be presented at the July 21 Planning Commission meeting for recommendation to the City Council.