

**CITY COUNCIL PUBLIC HEARING – TUESDAY, FEBRUARY 20, 2018 AT 6:15 p.m.**

**PURPOSE: AN AMENDMENT TO THE PLANNING AND ZONING CODE TO IDENTIFY MEDICAL MARIJUANA DISPENSARIES, CULTIVATORS LEVEL II AND PROCESSORS AS A USE PERMITTED UPON REVIEW IN CERTAIN COMMERCIAL DISTRICTS AND TO IDENTIFY MEDICAL MARIJUANA CULTIVATORS LEVEL I AND/OR LEVEL II AND PROCESSORS AS A USE PERMITTED UPON REVIEW IN INDUSTRIAL DISTRICT**

The Council of the City of Cortland met Tuesday, February 20, 2018 at 6:15 p.m. for a public hearing at the City Administration Building, 400 N High St, Cortland, Ohio with Council President Deidre Petrosky presiding. Members of Council present were Kathy Fleischer, Patti Keller, Don Moore, Kevin Piros, and Scott Rowley; absent was James Edwards. Also present at the meeting were Mayor Woofter, Law Director Wilson and Clerk of Council Horn.

**COUNCIL PRESIDENT PETROSKY** – It is 6:15 p.m. Tuesday, February 20, 2018. I would like to call to order the Cortland City Council for a Public Hearing. The purpose of this public hearing is to consider an amendment to the Planning and Zoning Code to identify Medical Marijuana Dispensaries, Cultivators Level II and Processors as a Use Permitted Upon Review in certain Commercial Districts and to identify Medical Marijuana Cultivators Level I and/or Level II and Processors as a Use Permitted Upon Review in Industrial District. The Planning Zoning and Building Commission had a great turn out for their hearing and I want to thank you for coming this evening and for your interest and participation in governing your city. First, let me be clear, we are not discussing whether or not to allow medical marijuana enterprises in the City of Cortland. The issue before us this evening is whether or not to amend the zoning ordinance. Why would we do that? Well, there are new permitted businesses that have been created within the State of Ohio. These are highly regulated businesses that are required to have a permit to operate within the state. As it stands now the city has no way to review these businesses. So the Planning and Zoning Board has proposed identifying those new businesses as Uses Permitted Upon Review within our zoning code. This enables the Planning & Zoning Board to hold a public hearing should one of these businesses make application to come into the city. Without this proposed amendment ordinance, should the Planning and Zoning Board simple vote no on a business application, that business owner could turn around and file a lawsuit against the city saying on what basis are your prohibiting me from coming into the city? The city would lose and the Planning & Zoning Board’s decision would be overturned. However, if the city incorporates this structure into the zoning plan and the business owner comes and presents at public hearing, giving the resident the opportunity to speak for or against the business, and to the Zoning Board why they should be allowed to come into the city, and the Planning & Zoning Board then votes no. The business owner files a lawsuit against the city and then the court will likely uphold the Planning & Zoning Board’s decision if the structure was put in properly, which

is what we are in the process of doing. So, tonight's hearing is the first discussion of this matter before City Council. Next, there will be 3 readings of the proposed amendment; likely the next 3 council meetings which you are all invited to attend. So with that said, I'd like to turn it over to Mayor Woofter.

**MAYOR WOOFTER** – I think Dee Dee explained it quite well. We are not here to discuss whether or not the city is going to allow a marijuana business of any type, whether a dispensary or grow houses. To repeat what she said, all we are doing is voting to amend our Planning and Zoning ordinances to have it put on a list to protect the city. That's what we are doing. At this point I will defer to Patrick.

**LAW DIRECTOR WILSON** – Thanks, Jim. So, we are here because businesses are now allowed in the State of Ohio to cultivate and dispense medical marijuana. It used to be the City of Cortland might be able to rely on Federal law that said well it's criminalized by the Federal Government so we can prevent it from coming into the city. That is false at the moment. There is something call the Rohrabacher–Blumenauer amendment. Federal funds may not be used to prevent states from implementing their own state laws that authorize the use, distribution, possession or cultivation of medical marijuana. Basically, it said the states can do what they please if the states allow the introduction of medical marijuana. Ohio has done that. The law has passed. There are currently no constitutional law challenges to the State of Ohio's rules and regulations. There are some lawsuits over the application of the regulations to actual dispensaries and growers. That's the implementation of the law. As it stands now, the federal law does not prohibit it. State allows it in the State of Ohio. So, what the City of Cortland has done, Don Wittman and I, along with Planning & Zoning Board and Curt Moll have reviewed our own zoning code. We had no explicit prohibition against these businesses. So, what would give us, the city, the strongest ability to review these businesses and decide whether we even wanted them in our city, was to update the zoning code with a framework to require anybody proposing a business like this in the city to come to the Zoning Board and under a Use Permitted Upon Review ask for the city to review their application. Then we would have the procedure to review that application, vote yes or no at the time. It was submitted, at the moment, Ohio has regulated districts in the state to allow a certain number of dispensaries. None have been identified for the City of Cortland. We have no pending applications coming within the city. That's important to note because this would the appropriate time to implement a framework in our zoning code to review all applications that come in the future. We would be able to tell any reviewing court down the road we did this without any pending applications. We weren't looking at Application A rather than Application B so we ran and had this law implemented. There's nothing before the city therefore the time would be appropriate to implement this framework, in my opinion.

**COUNCIL PRESIDENT PETROSKY** - Curt, do you have anything you'd like to add?

**CURT MOLL – 263 N HIGH – CHAIR, PLANNING & ZONING COMMISSION**

**CURT MOLL** – We thought long and hard on how to do this carefully. I wanted to repeat something that Patrick said. We do have the ability, in fact the requirement at the time anyone would bring an application to us to go to a public hearing format very much like this and get input from the community. At that time we can make a decision in line with the values and the expectations of our community as it is at this time. What that would allow us to do, is like they said, is have court or legal basis to accept or reject that kind of a business. We have a need to identify those kinds of businesses because if we don't then we don't have a procedure in place. We do identify other kinds of businesses that you would not want to have here in this ordinance. Adult related businesses are identified in this ordinance. The reason for that is so we can get public input instead of sitting here as a board and saying we can or we can't do it. The other question I have for Patrick, and this discussion has come up, if we go ahead with this change in the zoning ordinances, is it still reasonable for the city to do a moratorium or is that in conflict that would not allow us to go forward?

**LAW DIRECTOR WILSON** – I think you're mixing concepts. If the city were to go forward with this legislation as recommended by the Zoning Board then there would be no need for a moratorium. The moratorium says don't do anything regarding this law.

**CURT MOLL** - Maybe a moratorium is not the right word. Could they prohibit the introduction of those facilities in town? Council, separately?

**LAW DIRECTOR WILSON** – The way the language stands now without any changes to it, it would be very difficult to do that because of way the federal law is structured now that I read earlier. That amendment currently exists; and the fact that Ohio passed legislation that has not been appealed and is not being contested in court.

**CURT MOLL** – I'd seen some other things which lead you to believe that perhaps down the road they are going to treat medical marijuana dispensaries very much like they do pharmacies. If you have different rules for pharmacies than you do for these facilities then you can be in significant problems with the law. In addition to that, if we just do a prohibition by city council and we don't have this procedure in place, if the state would later pass a law that said these prohibitions were not permitted we would be in the same situation we are right as this moment but perhaps with an application coming. So, I think this a prudent thing for us to do at this time. That's all I have to say.

**COUNCIL PRESIDENT PETROSKY** - Is there anyone interested in speaking FOR the proposed zone amendment? If so, please step to the podium, state your name and address for the record.

**CAROLE WILEY – 134 TOPAZ TRAIL**

**CAROLE WILEY** - My name is Carole Wiley. I live in Cortland on Topaz Trail. I'm thoroughly confused now. I came here at the request of the L.O.A.F. Board – Lakeview Outreach and Fellowship to read a statement.

**COUNCIL PRESIDENT PETROSKY** – Wait a minute. I'm asking for people who are supporting this and want this legislation to go forward.

**CAROLE WILEY** – Oh. Thank you.

**LAW DIRECTOR WILSON** – There will be plenty of time. We will get back to you. We want to keep it in order.

**LARRY SHERER – 115 N COLONIAL**

**LARRY SHERER** – I don't speak on behalf of the Lakeview Board of Education even though I serve on that group, just as an individual. Basically, I would like to say that I'm very supportive of the idea of putting these kinds of safe guards into place. I think it's something that is very prudent. The only thing I would perhaps ask of your attorney is in the process of this is there any way to put some type of regionalization within the zoning that would say that certain things could happen within certain parts of the city in order to separate perhaps an operation that could come in the future near the schools?

**LAW DIRECTOR WILSON** – Yes. It was designed that way.

**MAYOR WOOFER** – We have defined that in this ordinance so that if those kinds of businesses would come we have specific areas in town that would allow that. And I believe...

**LAW DIRECTOR WILSON** – Which means the other areas they would not be allowed in. Which would be near the schools.

**MAYOR WOOFER** – So it wouldn't be near schools...

**COUNCIL PRESIDENT PETROSKY** - It's commercial and industrial.

**MAYOR WOOFER** – It would be in a commercial or industrial districts.

**CURT MOLL** – In addition to that, we made sure the growing operations were only in the industrial areas. We only have about 2 industrial areas, one is way north and the other is over by the lake.

**LARRY SHERER** – And the format of that would be a prohibition in certain localities or they would only be allowed in certain localities?

**CURT MOLL** – They are only allowed in certain localities.

**MAYOR WOOFER** – We don't have to prohibit that. They would only be allowed in those specific areas.

**CURT MOLL** – Only after a review and a public hearing.

**COUNCILMAN PIROS** - They can only apply in those certain areas.

**CURT MOLL** – We are home rule so that protects us. The state can't come in and say no you got to put them over here. They can't override us.

**LARRY SHERER** – So, I'd be very supportive of this move. It seems like it would perhaps kick things down the road a ways. Since there are so many unknowns, kicking it down the road a ways would be a good idea. We can't answer questions when we don't know what the possibilities are.

**COUNCIL PRESIDENT PETROSKY** - Thank you. Is there anyone interested in speaking AGAINST the proposed zone amendment? If so, please step to the podium, state your name and address for the record.

**DAVE VENSEL – 355 ROSEWAE AVE**

**DAVE VENSEL** – I have a number of questions. I want to be very clear. Anything I ask of Mr. Wilson, please take no offense. I'm not challenging you in any way. I'm not legal.

**LAW DIRECTOR WILSON** – It's okay.

**DAVE VENSEL** – It's out my ignorance that I ask legal questions. I have some things that I wonder about. Do we know what size facilities we are talking about?

**MAYOR WOOFER** - Not at this point because they don't exist.

**DAVE VENSEL** – Well, they've been defined.

**MAYOR WOOFER** - They've been defined but nobody has come to the city.

**CURT MOLL** – There's a lower level for a Level II.

**COUNCILMAN PIROS** - Level I and Level II.

**LAW DIRECTOR WILSON** – Cultivators have been designated small and large with a square footage.

**DAVE VENSEL** – Right. That’s why I’m asking. Do you know the square footage?

**COUNCIL PRESIDENT PETROSKY** - Yes we do. I can only tell you there is only room for the smaller areas in the 2 industrial sites in the city. If you give me a minute I can look it up.

**COUNCILMAN PIROS** - 3,000 to 6,000 square foot.

**COUNCIL PRESIDENT PETROSKY** - Thank you, sir.

**DAVE VENSEL** – So, they have changed that.

**COUNCILMAN PIROS** - Well there is a 25 to 50 which is a Level I.

**DAVE VENSEL** – Originally, I thought it was a maximum of up to 3,000 and up to 25,000.

**COUNCILMAN PIROS** – Up to 3,000 or 6,000 with application for expansion. That’s the Level II. Up to 3,000, with an expansion it could go to 6,000.

**DAVE VENSEL** – My point on this is we are going to create some legislation that our Zoning and Planning Commission is going to be making decisions based upon, we need to be very clear what the specifications are and what the facts are.

**CURT MOLL** – They are identified in specific areas. In other words, all the growing has to be done in industrial. It’s not allowed in service areas.

**DAVE VENSEL** – I understand that but the Planning & Zoning Commission meeting and hearing I was at in January, and reading the minutes from the November meeting, the members of that board did not know. They were saying a minimum of 3,000, a minimum of 25,000. That is not what was on the books, I don’t think, at that time. There was just a lot of confusion. We need to be very clear in what we are doing here.

**CURT MOLL**-We wrote the legislation the way it was written in the definitions. (INAUDIBLE)

**DAVE VENSEL** – That would be the basis from some anxiety among the community. We need our governors to be very clear on what the standards are and what we would be welcoming and inviting and enabling in our community.

**CURT MOLL** – None of this does any of that. There's no welcoming, inviting or enabling in this process.

**DAVE VENSEL** – Well, okay. Poor wording... approving an application or not.

**CURT MOLL** - We will approve or disapprove.

**MAYOR WOOFER** - Right. But that is not what we are discussing tonight.

**COUNCILMAN PIROS** - This is forcing a hearing.

**DAVE VENSEL** – I'm expressing my concern for the basis of opposition.

**MAYOR WOOFER** - And that would be the Planning & Zoning Commission's concerns as well and that would be one of the first questions that would be asked by them for the person proposing such business. What type of business are you requesting to bring to the city?

**DAVE VENSEL** – My public input is I would like our people to be very clear of the definitions and the specifications.

**MAYOR WOOFER** - Absolutely, and that would be the case. Just so you know Patrick Wilson sits on the Planning and Zoning Board as well.

**DAVE VENSEL** – Secondly, again I'm going to address some of the anxiety among people. Three people on the Planning & Zoning Commission have essentially expressed approval of opening up the city to the business.

**COUNCIL PRESIDENT PETROSKY** - No.

**DAVE VENSEL** – It's in the minutes.

**COUNCIL PRESIDENT PETROSKY** - That's not what we are discussing.

**DAVE VENSEL** – I know. I'm trying to explain why there would be anxiety when we are saying no. We are not opening up; we aren't welcoming, we aren't inviting, but we already have

some evidence on our leaders who will be doing the evaluating and the accessing of the applications that they would like to see the business come in.

**COUNCIL PRESIDENT PETROSKY** - Well, without them here to defend themselves, I would not agree or disagree with that.

**COUNCILMAN PIROS** - Ultimately, a hearing such as this would be required and then it would come to council to a vote. Your input is key to our voting.

**COUNCILWOMAN FLEISCHER** - It would come to zoning not us.

**MAYOR WOOFER** - I hate to talk hypotheticals situations but...

(INAUDIBLE - MULTIPLE CONVERSATIONS)

**MAYOR WOOFER** - If a business like that would come to the city then those types of questions would be asked and answered at a public hearing. All of that would be taken into consideration.

**LAW DIRECTOR WILSON** – If anything, that speaks to the need for this legislation because there is turnover on the zoning board every couple years. These terms don't last forever and people don't serve forever. If this procedure is in place it won't matter who is on the zoning board; it's coming in for public hearing with lots of input and a public vote. And then there's a Zoning Appeal Board that can review them.

**DAVE VENSEL** –Right, and I'm just speaking to the anxiety level of if they know what some of the opinion is on that sitting boards. That's the point I wanted to make on that. Now Mr. Wilson, I've seen in a couple of different sources, Cleveland.com and The Canton Repository references made that Ohio law does allow cities to limit the number or even ban these businesses all together.

**COUNCIL PRESIDENT PETROSKY** - Can I take a crack at that one?

**LAW DIRECTOR WILSON** – Sure, if you'd like. That's fine.

**DAVE VENSEL** – I have a text of the 523...

**COUNCIL PRESIDENT PETROSKY** - I'm just a newbie in the law here. We have the opportunity... we are not prohibiting this business because when you begin to prohibit things it becomes unconstitutional. So what we do is control things. We are a home rule city; we can

write our own laws; and what we are trying to do with this legislation is to allow public hearing which will be supportive if the business owner gets a no vote and takes it to court. Then the judge has something he can sink his teeth into to support the no decision of our Planning and Zoning Board. If we don't do this we have no such substance with which the judge can say...

**COUNCILMAN PIROS** - They would appeal it every time if we didn't have it.

**COUNCIL PRESIDENT PETROSKY** - Right.

**DAVE VENSEL** -I understand what you are saying and I respect that. I do. But I also look around the state and there are significant cities that have enacted bans.

**COUNCIL PRESIDENT PETROSKY** - Have they been tested though?

**COUNCILMAN MOORE** - Can I interject here? The law does allow a community to institute a ban or a moratorium if they want to look at it down the road. A number of communities in the valley have already done bans, Canfield, Poland, McDonald, Weathersfield Township, Liberty Township, and Austintown Township. They have done it. The law allows them to do it. There's an application when a marijuana business wants to apply. There's a zoning form and they have to take it to the city or the community they're in and there is a question that asks, has this city instituted a moratorium or a ban? If the answer is yes, the application process stops right there. So, they are never going to get to the point of coming before us. To me, that will ensure no litigation at that point because the law allows that and we are protected.

**COUNCIL PRESIDENT PETROSKY** - What happens when the business owner takes that to court and says they have prohibited. They can't do that it's unconstitutional.

**COUNCILMAN MOORE** - It's in the law. The state won't allow it unless they change the licensing.

**COUNCIL PRESIDENT PETROSKY** - No. No.

**(INAUDIBLE - MULTIPLE CONVERSATIONS)**

**LAW DIRECTOR WILSON** - The state won't defend that. The state won't be here to defend the City of Cortland in court.

**CURT MOLL** - But they could change the law. It's a law. It's made up by the legislature. They could easily get in there and say we don't allow moratoriums and bans anymore. They did that, in fact, in a couple cases. That would be my concern. This protects us long term no matter

what the state does because we are home rule. We put this in place, it's a procedure and we have the procedure.

**DAVE VENSEL** – If I'm correct, operations don't even begin until September. Correct.

**COUNCIL PRESIDENT PETROSKY** - That's correct. And there will be no operations here the whole first phase.

**DAVE VENSEL** – The licenses have been given out. Nothing is going to happen between now and September and likely there will be another period of time beyond that. That is why I ask we seriously consider either a moratorium or a ban in line with such cities as Dublin, Worthington, Lancaster, Middletown, Brecksville, Grove City, New Albany, Bexley, Upper Arlington, and Hilliard. They have chosen to go the ban or a moratorium as much as 6 months to 18 months to give us a chance to see how this is going to unfold and then create legislation that can be tapered to our community. I would recommend that we... more seriously.... What happens in the process of this particular ordinance? Can it be amended? Is it either up or down? What happens if it goes down?

**COUNCIL PRESIDENT PETROSKY** - It's done.

**LAW DIRECTOR WILSON** – If this get voted down then we are left with a zoning code that is very...

**DAVE VENSEL** – But we can bring something new back then, correct?

**LAW DIRECTOR WILSON** – You'd have to start with the zoning board.

**DAVE VENSEL** – Right, but they could bring in a proposal for a ban or...

**CURT MOLL** - The zoning board would not be involved in a ban. We don't ban any businesses.

**DAVE VENSEL** – So, that would take place here?

**LAW DIRECTOR WILSON** – No, but they would start with a recommendation.

**CURT MOLL** - Well, we could but... we wouldn't have any effect on it because it's not really a zoning regulation.

**LAW DIRECTOR WILSON** – Right.

**MAYOR WOOFER** - Think of it this way. If we go through with this, and I am encouraging our council to vote for this so we have protection in place. Then on top of that, if council should choose to ban that business altogether, that would be a separate piece of legislation that would be brought before council. All this does is give us double protection. So by approving this, no matter what the state does with their laws as Curt has mentioned, we are protected. That's all we are looking at here, to help protect the city and to open this up for debate as we are doing tonight if those type of businesses would ever come to the city. It's all hypothetical if they do or don't.

**DAVE VENSEL** – There's more that we don't know than we do.

**MAYOR WOOFER** - Absolutely. I'll agree with that.

**DAVE VENSEL** – We have a time period here, almost a probationary period to be able to play with this and work fairly freely in it. There are a number of significant cities in the state.... I've only named a few. There's like 50 or 60 of them.

**MAYOR WOOFER** - Right. I have a list of them myself.

**DAVE VENSEL** – Upper Arlington, a 12 month temporary ban. I'm asking. Let's see what is going to happen.

**MAYOR WOOFER** - But we can enact that after.

**COUNCIL PRESIDENT PETROSKY** - Even if we enact this.

**MAYOR WOOFER** - That's what I'm saying. We need to do this to help protect the city and then...

**DAVE VENSEL** – If we do this now what happens to it? How do you come back and then go with a ban?

**MAYOR WOOFER** - That's what I explained. Somebody would have to write legislation to be brought before council and council would vote on it.

**DAVE VENSEL** – It would not necessarily come out of zoning?

**LAW DIRECTOR WILSON** – It would not come out of zoning.

**DAVE VENSEL** – Not at all?

**LAW DIRECTOR WILSON** – This is coming out of zoning because all it is a procedure being put in place for future businesses if they apply. It doesn't have anything to do with allowing or prohibiting it in the city. The zoning board cannot make that recommendation. So, if this gets voted in eventually, then council could come back and entertain an issue raised by one of them, not the zoning board, to prohibit it in the city.

**MAYOR WOOFER** – Anyone one of these people sitting on council, including myself, could write legislation requesting a ban. Anyone of them could do that. Would we have a public hearing for that or come as a regular ordinance.

**LAW DIRECTOR WILSON** – It would be proposed as an ordinance and show up on the agenda.

**MAYOR WOOFER** – Then council would vote on it. I don't care what we are talking about, anything that's voted on in council under normal circumstances, unless it's an emergency, has 3 readings. Everyone has an opportunity to come and voice their opinions at all three meetings.

**DAVE VENSEL** – Can any of this go to a public referendum or public vote?

**LAW DIRECTOR WILSON** – An ordinance that would be passed by the board that would impact the citizens could in theory be. A zoning board recommendation...

**DAVE VENSEL** – I realize not this particular ordinance but...

**LAW DIRECTOR WILSON** – Not this issue, no.

**DAVE VENSEL** – But if something could be brought that would give the entire city the opportunity.

**LAW DIRECTOR WILSON** – That framework is in place if an ordinance is passed, yes.

**DAVE VENSEL** – I'll just close. Thank you very much. I appreciate it.

**MAYOR WOOFER** – You're quite welcome.

**DAVE VENSEL** – I do want to share in my opposition statement a reference to a lady, Lonnie Stone, who is 36 years old, she is a stay at home mother who worked in law enforcement in California. She has recalled how there were robberies at the dispensaries. She also noted it being such a cash business. I realize Ohio is trying to take away the cash element. That's in the works;

we are still waiting to see how that falls out. The business would ask for officers to come just so the employees could shut down at the end of the day and be able to leave safely. And that is part of it; do we want that in our community?

**MAYOR WOOFER** – What size city is that?

**DAVE VENSEL** – She didn't identify the city.

**LAW DIRECTOR WILSON** – Was that medical marijuana or marijuana?

**DAVE VENSEL** – Yes, it was medical. Thank you very much. I appreciate it.

**MAYOR WOOFER** – You're welcome. Thank you for taking the time to come tonight.

**LYNN BURKEY – 613 CEDAR**

**LYNN BURKEY** – I've been a licensed independent chemical dependency counselor for the last 30 years. First of all, I expressed my objection to this of even getting it on the books. I'm definitely for a ban. But I have a question. I understand, and correct me if I'm wrong; there are 3 parts to this – the growing, distribution and the processing. Aren't we holding ourselves liable by not including the processing in this?

**COUNCILMAN PIROS** – It is. All 3 of those are.

**LYNN BURKEY** – Oh I thought only the 2 are.

**COUNCILMAN PIROS** – No. Cultivator Level II, Processor and Dispensary.

**LYNN BURKEY** – Okay, well that's my comment. To add to what he had, I have been involved in methadone distribution program in Mahoning Valley for 30 years. What he says is correct. We have to have extra security all during the day while the thing is open and all during the evening when it's closing down. It still doesn't prevent the chemicals from being sold on the street corner once people leave. We are finding about 50% of the people that are medically required to have it; the other 50% have somehow fudged their records so they can get it and then they are selling it. It's not a perfect system. It's probably going to work just like our fireworks legislation in the state.

**BOB WILSON – 100 ONYX PL**

**BOB WILSON** – I have a real quick comment. I qualify for speaking opposed because when I came in the door I was opposed. I hate to admit that Patrick Wilson and Curt Moll taught me something tonight but I'm going to have to admit that publicly. It pains me to say that. I have a

couple of questions, if we do enact this and it sounds like legally the thing to do tonight, will any cases that comes before us be case by case?

**COUNCIL PRESIDENT PETROSKY** - Yes.

**BOB WILSON** – So, we would have to do case by case. Is there any chance that we might come up with some legislation after tonight to just ban this from Cortland City? I have 2,000 that go to school in Cortland City and I sure don't want marijuana distributed around those kids. I sure don't want that to happen.

**CURT MOLL** - That certainly would come out in the public hearing.

**BOB WILSON** – Yes, and I will speak.

(INAUDIBLE – MULTIPLE CONVERSATIONS)

**LAW DIRECTOR WILSON** – To answer your question, yes. It could come.

**CURT MOLL** - This would protect us if the ban was overturned by the state. That's my biggest concern.

**BOB WILSON** – Yeah, and I understand that, Curt. That makes sense.

**CURT MOLL** - You want to look at prohibitions of zoning by the states. There are a lot of examples. Just blanket... (INAUDIBLE). It's true, gas wells in areas we have no control at all.

**LAW DIRECTOR WILSON** – They took it away.

**BOB WILSON** – Please keep in mind, I'm not going to preach and I'm almost done. I'm going to have 2,000 kids a block away from Main St in this town. I'm very, very concerned that marijuana will be distributed, even though you need a prescription; we all know how that goes. I don't want to see our kids exposed to any more trouble. Thank you very much. I appreciate everything you do for the city.

**COUNCIL PRESIDENT PETROSKY** – Thank you. City Council will consider the recommended zone amendment and take any and all comments under advisement. This Public Hearing has been closed.

**MEETING ADJOURNED AT 6:49 P.M.**