

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 3:00 PM – January 25, 2016

1. OPENING

The Paradise Town Council Meeting was called to order by Mayor Jody Jones at 3:01 p.m. in the Town Hall Council Chamber located at 5555 Skyway, Paradise, California. Following the pledge of allegiance, an invocation was offered by Council Member John J. Rawlings.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John J. Rawlings and Jody Jones, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Assistant Town Clerk Dina Volenski, Finance Director Gina Will, Community Development Director Craig Baker, Police Chief Gabriela Tazzari-Dineen, Police Lieutenant Steve Rowe, Administrative Analyst Colette Curtis and Public Works Director/Town Engineer Marc Mattox.

2. CONSENT CALENDAR

Mayor Jones called for comment cards on the Consent Calendar.

1. Dan Levine is against the ordinance, thinks that there is a misunderstanding and that the Council can regulate commercial grows, but not individual grows under Proposition 215, is concerned about the community, does not think it's right and that it may drive people out of town to search for their medicine.
2. Gary Moulten is against the ordinance, stated that large commercial grows create issues, not the small grows, that forcing people to purchase from dispensaries is not affordable for people on a fixed income. Small gardens don't smell as much as big gardens and it smells more when it is dried. Requested that the small guys not be punished
3. Ward Habriel is for the ordinance, stated that he overheard two individuals discussing the medical marijuana ordinance, they said it didn't prohibit recreational marijuana and since the fine is only \$100 they would continue to grow. He is not happy.
4. Debby Jackson is for the ordinance, owns a small piece of property with a large grow next to them, the smell is so bad they cannot open windows, cars come and go and it is scary, requested that Council keep the ordinance.

5. Jay Cooke is against the ordinance, has been an advocate of the compassionate care act for 15 years, does not approve of the Council shaming people with legal rights for medical marijuana and thinks this will encourage an illegal approach, asked the Council not to follow the recommendation of the League of California Cities.

MOTION BY Rawlings, seconded by Lotter, approved consent calendar item 2(a) as presented by unanimous roll call vote: all members present.

- 2a. Waived the reading of entire Ordinance No. 558 and approved reading by title only; and, adopted Ordinance No. 558, An Ordinance of the Town of Paradise Repealing Paradise Municipal Code Section 17.31.400 and Amending Section 17.31.500 Prohibiting Medical Marijuana Cultivation and Delivery.

The ordinance repeals portions of the town's existing medical marijuana cultivation regulations and adopts new regulations for the cultivation of medical marijuana that (a) prohibits the establishment of medical marijuana collectives and cooperatives, (b) prohibits delivery of medical marijuana except by a primary caregiver for a qualified patient, (c) prohibits medical marijuana activities for which a State of California license is required and (d) prohibits the cultivation of medical marijuana in all zones in the town.

3. ITEMS REMOVED FROM CONSENT CALENDAR – None.

4. PUBLIC COMMUNICATION

1. Dan Levine discussed his involvement in a Butte County litigation case regarding illegal grading associated with cultivation of medical cannabis under Public Nuisance Abatement Code, thinks it is an infringement of people's civil rights and will challenge the legality of the code.

5. PUBLIC HEARINGS - None

6. COUNCIL CONSIDERATION

- 6a. **Motion by Rawlings, seconded by Culleton**, adopted Resolution No. 16-01, a Resolution approving the plans and specifications for the Measure "C" Pearson Road Improvements Project and authorizing advertisement for bids on the project. Roll call vote was unanimous; all Council Members present.

7. COUNCIL INITIATED ITEMS AND REPORTS

- a. Council initiated agenda items - None

b. Council reports on committee representation

Council Member Culleton attended the League of California Cities meeting on Employee Relations and the League of Cities has put together a Health Plan Market Place to help retirees with more choices.

Council Member Lotter stated that Health Insurance Market Place should help cities reduce costs of unfunded liabilities, and thinks the Town made the correct decision on the delivery aspect of Medical Marijuana.

Mayor Jones attended the League of California Cities Transportation meeting, they are working on automated speed enforcement which we may be interested in, received an update on legislative funding for transportation, heard a presentation on California road user charge pilot program which is a mileage based tax instead of gas tax and signed up to be part of the program to represent the rural areas

c. Future Agenda Items - None

8. STAFF COMMUNICATION

Town Manager Report

Staff will be bringing a mid-year budget report to the February 9, 2016 Town Council meeting with the budget schedule and announced that the Town received a \$500,000 grant for the sewer project feasibility and analysis study.

Community Development Director Update on Projects – None

9. CLOSED SESSION - NONE

10. ADJOURNMENT

Mayor Jones adjourned the Council Meeting at 3:46 p.m.

Date Approved: March 8, 2016

By: _____/s/_____
Jody Jones, Mayor

_____/s/_____
Dina Volenski, CMC, Assistant Town Clerk