

## REGULAR WORK SESSION

- Baseball Park Banner Request-MCPH
- Recreational Marijuana Discussion
  - Revisit Retreat Goals
    - Retreat
  - Reimbursement Policy
- Basham Park Improvements
  - Warman Plaque
- Roundup Riders of the Rockies
  - Bicycle Tour of Colorado

NO FORMAL ACTIONS CAN BE TAKEN

Posted 5/16/14

---

OPEN TO THE PUBLIC

# CLERK'S MEMO

## City of Creede

DATE: May 15, 2014  
TO: Mayor Grossman and Trustees Kim, Wall, Wyley, McDonald, DeLonga and Zurn  
CC: Clyde, Eric H.  
FROM: Randi Snead, Clerk/Treasurer  
SUBJECT: Retail Marijuana Discussion

The topic of marijuana has come around again. I have been gathering some information for quite a while now based on what other clerks are seeing as other municipalities approve retail operations, and I've tried to wrap it up here.

### WHICH TOWNS HAVE APPROVED RETAIL MJ? (already do or will have rec facilities in 2014)

- Aspen
- Black Hawk
- Boulder
- Breckenridge
- Carbondale
- Crested Butte
- Denver
- Durango
- Eagle
- Edgewater
- Frisco
- Garden City
- Georgetown
- Glendale
- Glenwood Springs
- Idaho Springs
- Pueblo
- Larimer County
- Leadville
- Louisville
- Manitou Springs
- Nederland
- Northglenn
- Oak Creek
- Red Cliff
- Ridgway
- Salida
- Silverthorne
- Silverton
- Steamboat Springs
- Telluride
- Wheat Ridge

### ADMINISTRATION

Trustee Zurn asked about the administrative time and risk involving these operations. Some of you may remember that I was in favor of a moratorium because we are really not sophisticated or well-funded enough to have been the first town to jump in and make it up as we go. Now that other towns have several retail locations and a regulatory licensing program in place, it will be easier to make the transition with their support and example. Also, the system borrows heavily from liquor licensing. There's also some training on this topic that will be covered during my final year of Institute in July. That being said, it isn't an insignificant addition to an already hefty workload.

### ZONING

One thing that I didn't expect was a repeated warning from clerks who have permitted RMJ/MMJ to pay careful attention to zoning concerns as resident complaints centered on the change of the nature of a neighborhood. There have been issues with storefronts & traffic with retail, but more than that, issues with cultivation concentrations in towns. Allowing retail marijuana may require some work with the land use code and/or heavy restrictions on signage, zoning, etc., and is, again, strongly recommended by those that jumped in right away.

### TAX BENEFITS

The state charges 12.9% total on retail marijuana, but I don't think we can raise our normal 2% sales tax on this industry without a ballot measure.

### OTHER CONCERNS/FYIS

-An application for a retail marijuana facility could not be made until July 1, 2014 without possibility of state and local approval (ability to open) until October 1, 2014. (Those currently operating have been transferred from medical to retail).

-Mineral County has banned all facilities, cultivation, manufacturing, and testing. How do we deal with that?

-I think if we consider allowing, we are looking at least adopting a new section of our municipal code to regulate marijuana use in town, amending our land use code (lots of decisions to be made there...please see Ordinance 375 on our website), possibly enacting regulations for storefronts, and passing an ordinance outlining roles of the board as the Local License Authority and the clerk's role in licensing. Whether we approve or not, we probably need to make changes to Article 8, "Alcoholic Beverages & Drugs," which prohibits any possession of cannabis.

Please see our Muni code here: <http://coloradoc1.prod.acquia-sites.com/creede/creede-municipal-code> and samples of recodifying for legalization here: <https://www.cml.org/issues.aspx?taxid=11076>

Please also see the Retail Marijuana Overview pdf at the bottom of the page...it helps clarify more of the decisions that need to be made.

Great FAQ and other info from Nederland (small town, one of the first to approve recreational) <http://nederlandco.org/government/town-hall/other-permits-licenses/>

Poll on how Coloradoans feel about MJ now that it's legal here: <http://www.quinnipiac.edu/news-and-events/quinnipiac-university-poll/colorado/release-detail?ReleaseID=2035>

---

---

# PARK IMPROVEMENT MEMO

---

---

**TO:** Board of Trustees [work session]  
**FROM:** Clyde Dooley  
**SUBJECT:** Basham Park Improvements  
**DATE:** May 9, 2014

A couple years ago the Trustees asked us to put together some plans for improving Basham Park. Ben met with North River Greenhouse & Landscaping and put together a master improvement plan. This was something we were going to phase over three or four years, but with us postponing our maintenance shop earlier this year there is money to complete the improvements planned for Basham Park.

Attached is a quote we received earlier this month for the remainder of the work. Ben scratched off the flagstone inserts for \$5,810 leaving us with a net quote of \$26,318.75. I'll check with them on the \$789.59 tax item and see if we can scratch that off as well. If so, that will bring the total cost down to \$25,529.16.

Regardless of the outcome on the tax item, this amount is available in our capital improvement fund and if the Trustees would like to complete this improvement plan this year instead of phase it, we can afford it.

**If the Trustees would still like to move forward with this plan I'll recommend it be approved at their regularly scheduled meeting on June 3<sup>rd</sup>, 2014.** I'll have the exact price locked down and at the most it will be \$26,318.75. The contractor figures they can complete the project in a week. It would be great if we can have this done by the 4<sup>th</sup> of July and if everyone agrees, I'll tentatively schedule the work to be the second week in June.