

**MINUTES FROM THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MARCH 12, 2018**

Mayor Pro Tem Pearson called the meeting to order at 8:00 a.m. Councilmembers Chris Burns, Richard Ford and Lori Knapp joined via the conference phone line. Mayor Patricia Randall and Councilmembers Claudette Reid and Terry Urban were absent with excuse. Also in attendance were City Manager Laurence Shaffer, Deputy City Manager Rob Boulis and City Clerk Adam Herringa.

Mayor Pro Tem Pearson opened the meeting and inquired if there were any questions or concerns regarding items on the proposed agenda. With regard to Item D.1., Medical Marihuana Facilities, City Manager Shaffer reviewed his Communication to City Council. Following the review, Mayor Pro Tem Pearson inquired if there were any questions. There being no questions from City Council, Mr. Jay Eichstaedt, 523 Circlewood Drive North, who was present in the audience, stated that he is a realtor by profession and also on the Zoning Board of Appeals. Mr. Eichstaedt shared that he was working with a client on a parcel that may be impacted by the 1,000 foot setback requirements related to religious institutions in the proposed ordinance.

Mr. Eichstaedt asked how a religious institution is defined since it is his understanding that one of the locations identified as a religious institution by the City is actually a thrift store focused on the distribution of religious materials and not a place of worship. Mayor Pro Tem Pearson echoed the question of how church/religious institutions are defined in the ordinance and stated that through the development and revision of the medical marihuana ordinances the City discovered additional religious institutions that do not meet the overall image of a "church." Mayor Pro Tem Pearson referenced three recently noticed religious institutions and inquired if City staff had been inside any of the locations. Mr. Shaffer stated that, to his understanding, staff had not been inside the facilities but his understanding was that at least two of them have a religious alter or setup conducive to a church setting. Mayor Pro Tem Pearson asked that City staff further investigate the facilities in particular the one identified by Mr. Eichstaedt and report the findings back to City Council later in the day.

Councilmember Ford asked that, with regard to any suggested changes, the City Council be provided with recommended language rather than trying to "wordsmith" proposed changes on the dais.

Mayor Pro Tem Pearson referenced a map indicating potential locations for a provisioning center and highlighted Portage Road near the intersection with Zylman Avenue. Mr. Pearson inquired, should a provisioning center locate near that intersection, if the other nearby properties would then be unable to house a provisioning center. Mr. Shaffer responded in the affirmative. Mr. Pearson then inquired, again referencing a map, when an area identified as a restricted space for a medical marihuana facility intersects a property whether the entire property is therefore restricted. Mr. Shaffer stated that the maps provide a general idea of where facilities might locate but actual measurement is difficult until a specific location is identified. Mayor Pro Tem Pearson inquired if there is going to be a final map that identifies potential locations for medical marihuana facilities. City Manager Shaffer responded in the affirmative but stated that the map will not be included as part of the ordinances and

would instead be kept separate and maintained by the Department of Community Development.

PETITIONS AND STATEMENTS OF CITIZENS

Mr. Eichstaedt inquired if the proposed ordinance included a 1,000 foot or 500 foot buffer between medical marihuana facilities. Mr. Shaffer replied that it was 1,000 feet. Mr. Eichstaedt inquired how the existing medical marihuana facility on Portage Road would be treated with regard to the 1,000 foot separation. Mr. Eichstaedt continued by stating that if the 1,000 foot buffer is applied to the existing facility it eliminates numerous potential locations and eliminates potential competition. Mr. Shaffer shared that the ordinance states that any entity currently operating with a temporary permit is able to apply in the first round of applications. If the application is successful, Mr. Shaffer continued, the applicant will be awarded a permit and the buffer applied.

There being no other questions Mayor Pro Tem Pearson summarized the questions raised at the meeting requiring follow-up from City Administration.

ADJOURNMENT: Mayor Pro Team Pearson adjourned the meeting at 8:17 a.m.

Adam Herringa, City Clerk