
Marijuana Advisory Committee Minutes

Friday, October 23, 2015 6:00pm
Sealing Cove Business Center

Committee Members:

**Levi Albertson, Andrew Hames, Joseph D'Arienzo, Dr. Myron Fribush,
Don Jones, Kitty Sopow, Darrell Windsor,
Steven Eisenbeisz, Bob Potrzuski**

I. CALL TO ORDER

Chair Albertson called the meeting to order at approximately 6:04pm.

II. ROLL CALL

Present: Levi Albertson, Dr. Myron Fribush (telephonic), Don Jones, Andrew Hames, Kitty Sopow, Darrell Windsor, Steven Eisenbeisz, Bob Potrzuski.

Absent: Joseph D'Arienzo (excused)

Staff: Municipal Attorney Robin Koutchak, Planning and Community Development Director Maegan Bosak, Paralegal Reuben Yerkes

III. AGENDA CHANGES – None

IV. APPROVAL OF MINUTES –

M - Steven/S – Potrzuski –second - Motion to approve the minutes carried unanimously

V. PERSONS TO BE HEARD/CORRESPONDENCE-

Aaron Bean would like to meet with City Attorney Koutchak about prohibition of clubs. Need to pay attention to 3.AAC 306.900, Club prohibition. This committee could make a lot of progress on this issue.

VI. REPORTS –

Chair Albertson spoke with Representative Kreiss-Tomkins. Juneau's main concern appeared to have been zoning, as Juneau has a policy that allows tourist-centric businesses to operate on their water front, and marijuana could be construed as a tourist-centric business. They would issue a city license for marijuana business in addition to whatever state license is issued. Chair questioned if the wastewater infrastructure could handle the runoff from hydroponic operations associated with marijuana cultivation. The Committee should inquire with wastewater.

VII. UNFINISHED BUSINESS – None

VIII. NEW BUSINESS

- A. Discuss establishing an Local Regulatory Authority**
- B. Planning and Community Development Director Maegan Bosak.**

City Attorney Koutchak summarized the role of the Local Regulatory Authority.

Jones would be more comfortable if it was a shared responsibility with administration, law, police department. Sopow questioned the number, how they would be selected and would they create policy.

Chair Albertson-the board would be responsible for approving marijuana applications. He didn't necessarily agree that law enforcement representation was needed on such a body. He raised the "shall issue" vs. "may issue".

Planning and Community Development Director Maegan Bosak explained that as part of the CUP process, businesses must obtain a business registration form. Applications need to be listed on a Planning Commission agenda, and all City departments can weigh in, and the application would be mailed to neighbors for comment. This material would be submitted to Planning Commission. Members of the public could comment. Applicants always have the option to appeal the Planning Commission's decision to the Assembly. CUP process affords all departments, Police and the public to comment for input on the application.

Potrzuski stated concerns given the intent of the initiative was to regulate marijuana like alcohol and authorities don't "rubber stamp" alcohol applications. He stated that City staff could be the LRA, or the planning commission could take that responsibility, or we could create a whole new layer of committee-ship to render that service.

Eisenbeisz questioned if we trust the government to regulate marijuana in that manner. He offered option of a six member panel, three members from the city, three from the population. Eisenbeisz suggested that planning, finance, and legal, departments could support.

City Attorney Koutchak asked the Committee to focus on the establishment of an LRA.

A variety of compositions for an LRA were set forth including having the Planning Department and Planning Commission handle everything, or only zoning responsibilities and a new marijuana commission being formed to handle enforcement, or a new commission to handle everything.

Break at 7:09PM

Back at 7:18PM

City Attorney Koutchak added that even if an LRA is approved that night, it will take months for Assembly approval. She continued by recommending the Committee make the Planning and Development Director the LRA, until such time as a board is created.

Chair Albertson asked if there was any way that the Marijuana Advisory Committee could act as a temporary board. City Attorney Koutchak responded in the affirmative, but advised that such a decision would have to go to the assembly.

Chair Albertson stated that he didn't see a benefit to putting the Planning Director on the spot as long as the Marijuana Advisory Committee exists.

M – Potrzuski/S - Jones, made a motion to make the Planning Commission the Local Regulatory Authority. Motion failed 5-3.

Discussion:

Potrzuski thought marijuana should be treated the same as any other business. Eisenbeisz and Albertson thought it would need extra attention as it is new and still controversial and other members echoed similar concerns.

IX. ADJOURNMENT

A. Agenda items for next meeting.

Discuss options for a local regulatory authority.

B. Set next meeting date.

Wednesday the 28th at 6PM and Friday the 30th at 6PM.

M – Potrzuski/S - Darrell moved to adjourn at approximately 8:28pm. Motion carried unanimously.

Attest:
Reuben Yerkes, Paralegal