

**Town of Sedgwick
Record of Proceedings
Special Meeting
July 15th, 2019**

Members Present: Wayne Price, Jeanie Tarver, Gena Kinoshita, Peggy Raymond, Peggy Owens, Nancy Sauder
Employees Present: Heather Moore

Call to Order: The Town Board met in regular session, July 8th, 2019 at the Town Hall. A quorum was verified, and the meeting was called to order at 6:00 pm by the Mayor, Wayne Price.

Roll Call

Gena Kinoshita	Here	Troy Kinoshita	Absent
Peggy Raymond	Here	Peggy Owens	Here
Jeanie Tarver	Here	Nancy Sauder	Here

Reading of Meeting Rules: Your comments will be limited to three (3) minutes. The Board may **not** respond to your comments this evening, rather they may take your comments and suggestions under advisement. Comments on Agenda items will be allowed following the presentation or Board deliberation. Your comments will be limited to three (3) minutes and are allowed to only speak once on any motion or agenda item.

Guests

- Melinda Culley
 - **Rules and Regulations for Proposed Ordinance 05-2019, Amendment to 02-2016 Concerning Retail Marijuana Stores going before the Voters.**

Majority Consensus was reached on the following specific stipulations regarding Ordinance 05-2019. There where discussions regarding each Motion listed. Along with advisements from Town Lawyer.

- Section 4: effective date shall be December 1, 2019
- Add to: Section 5:F. Issuance of Additional In full detail below:

1. Within fifteen (15) days of the effective date of this Ordinance, the Town Clerk shall publish a notice that the Town is accepting applications for retail marijuana store licenses. Such notice shall include a deadline for the Town's acceptance of such applications and shall require that applications be submitted in person at Town Hall Monday through Thursday from 8 a.m. to 3 p.m. (holidays excepted). 2 .The Town Clerk shall initially review such applications for completeness. In the event the Town Clerk finds that an application is incomplete, the Town Clerk shall notify the applicant in writing of the application deficiencies and allow the applicant to correct such deficiencies within fifteen (15) days from the date of receiving such notice. 3.The Town Clerk shall then forward the applications to the Local Licensing Authority for further processing and review at a public meeting. During such public meeting, the Local Licensing Authority shall then finally determine the sufficiency of the license applications and whether the applicant is eligible to hold a retail marijuana store license pursuant to the Town's ordinances and State laws and regulations. 4.If after

reviewing the license applications for eligibility, the Local Licensing Authority determines it has received more eligible retail marijuana store applications than licenses available pursuant to Section 3.E, the Local Licensing Authority shall establish a date and time for selecting by lot the priority by which applications shall be acted on.


- Add to: Section 6:B:3 The Town will not accept a letter of intent, real estate contract or lease contingent upon successful licensing or any similar contingent agreement to satisfy the requirement of this section, In addition, if the premises will be leased rather than owned by the applicant, the lease must have a term of at least 5 years.
- Add to: Section 6:B:14 to be added that states: A parking plan demonstration that well maintained, clearly marked and adequate parking for customers will be provided
- Add to : Section 8:7:G any person who has a financial interest in an existing retail marijuana store in the Town shall not to be eligible to apply for a retail marijuana store license either individually or as part of a business entity until at least six months has lapsed since the person divested himself or herself of such financial interest. Further, no retail marijuana store license shall be issued to an applicant who is financed, in whole or in part, by any person or entity who has a financial interest in an existing retail marijuana store in the Town.
- Add to: Section 8:7:H No retail marijuana store license shall be issued to an applicant unless the applicant has at least 3 years' experience operating a licensed marijuana business in Colorado, provide 3 verifiable references
- Add to: Section 9:10:J the Deadline to open retail marijuana store. After receiving state and local retail marijuana store licenses, the licensee shall have the retail marijuana store operational and open to the public within 2 months. One extension may be given not to exceed 90days,
- The Cap of licenses for Retail Marijuana Stores shall be 3

Motion: Peggy Owen made a motion to accept with the changed discussed and voted on today to Ordinance 05-2019 that is labeled "An Ordinance amending ordinance no. 02-2016 concerning retail marijuana stores and submitting to the registered electors of the Town of Sedgwick at a special election to be held on November 5th, 2019, the question of whether additional retail marijuana stores should be allowed with in the town, Jeanie Tarver Seconded, all in favor - yes; none opposed, motion carried.

Motion: Gena Kinoshita made a motion to adopt Resolution No. 07-2019 calling a special election to be held on November 5, 2019, Jeanie Tarver Seconded, all in favor -no; one opposed, motion carried.

- Melinda Culley continued
 - **Taxation of Marijuana Businesses**
 - Excise tax needs to be voted on for election soon. This will need to be done for the April 2020 Election.
 - Occupation Tax currently is \$5 per transaction on retail marijuana sales. This tax could change if we wish up 10%. They have decided to prepare the change to send to the voters in April asking 5% to bring our percent up to the common rate across Colorado.
 - Occupation tax for any Manufacturing of products, wholesale transactions will be established for the April 2020 election as well.

Adjourned: At 7:28 PM, Gena Kinoshita made a motion to adjourn, seconded by Peggy Raymond, all were in favor, motion carried.



Mayor



Attest: Town Clerk

