

CITY OF SHELTON, WASHINGTON – CITY COMMISSION

Special Meeting Minutes – December 13, 2011

Shelton Civic Center – 1:30 P.M.

Presiding: Mayor Tarrant, Commissioner Byrne and Commissioner Pannell

Staff Present: Dave O’Leary, Kathleen Haggard, Vicki Look, Steve Goins, Dave Eklund, Les Watson Lesleann Kangas

Mayor Tarrant called the meeting to order at 1:30 p.m.

Appeal of Denial of a business license – Mari Meds – Mayor Tarrant said this meeting is to deliberate and announce the decision of the appeal of denial of a business license for Mari Meds. It is a closed record appeal of the City Administrator’s decision of September 26, 2011. In his written decision, the City Administrator recommended approval of some of the applicants intended business activities, while denying a business license for some of the other intended activities. The applicant appealed the denial of license for cannabis testing and services, and the medical cannabis authorization business. The Commission has reviewed the record that consisted of all written materials submitted to the City Administrator. On November 21, 2011 the Commission heard arguments from the applicant. After closing the appeal hearing, the Commission requested additional time to review the submitted materials and testimony. The Commission set today’s date to have further discussion on this matter.

Commissioner Byrne said after considering all of the information and public testimony, which was courageous, he stated that he supports the Police Chief’s recommendation and the City Administrator’s review and decision regarding the application, specifically the cannabis testing and services and medical cannabis authorization business. He said the Commission’s responsibility is to follow federal, state and local codes that pertain to the process of the permitting system. The Commission has been very consistent with this in the past and will continue to do so. If the application complied with current laws, then it would be processed the same as any other application received.

Commissioner Pannell said she concurs with Commissioner Byrne. She said this is complicated by the fact that state and federal laws do not agree and until they do she concurs with the City Administrator’s denial of the business license.

Mayor Tarrant said the closed record materials have been reviewed. He said the Commission took an oath of office to uphold the laws of the State of Washington and the United States. That said, the Shelton Municipal Code (SMC) 5.04 also prohibits the City of Shelton from granting a business license to any business activity that is in violation of either federal or state. If there is to be a solution to this issue, it rests with the United States Food and Drug Administration and law enforcement agencies. The fact is that SMC 5.04 prohibits supporting anything different than what the City Administrator has already done.

Commissioner Pannell moved to affirm the City Administrator’s decision to deny the business license for cannabis testing and services and medical cannabis authorization business for Mari Meds; Commissioner Byrne seconded the motion. A vote was taken and the motion passed unanimously.

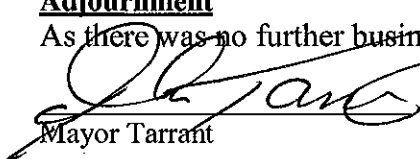
Executive Session - The Commission meeting was adjourned to an Executive session at 1:40 p.m. for 30 minutes to discuss the performance evaluation of a public employee with no action to follow. The Commission, Dave O’Leary and Vicki Look were in attendance. The Commission adjourned the Executive session at 2:10 p.m.

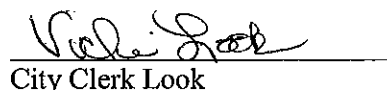
Announcement of Next Meeting

Mayor Tarrant announced the next regular Commission meeting of Monday, December 19, 2011, at 6:00 p.m.

Adjournment

As there was no further business the meeting was adjourned at 2:11 p.m.


Mayor Tarrant


City Clerk Look