

**MINUTES FOR THE REGULAR MEETING
ASHLAND CITY COUNCIL
August 5, 2014
Council Chambers
1175 E. Main Street**

CALL TO ORDER

Mayor Stromberg called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers.

ROLL CALL

Councilor Voisin, Morris, Lemhouse, Slattery, Rosenthal, and Marsh were present.

MAYOR'S ANNOUNCEMENTS

Mayor Stromberg announced various openings on the City Commissions.

Councilor Voisin/Slattery m/s to add to the agenda under New Business, direction to the Police Chief to offer the City of Ashland's endorsement of a bill in the United States Senate to amend the Higher Education Act of 1965. Voice Vote: all AYES. Motion passed.

APPROVAL OF MINUTES

The minutes of the Goal Setting Session of July 11, 2014, Study Session of July 14, 2014 and Business Meeting of July 15, 2014 were approved as presented.

SPECIAL PRESENTATIONS & AWARDS

Mayor's proclamation of August 6 as Hiroshima Day and August 9 as Nagasaki Day was read aloud.

Public Works Director Mike Faught thanked the community for their conservation efforts and explained the reservoir was still full. In addition to citizen conservation, staff started supplementing the reservoir with 2,000,000 gallons a day (mgd) of Talent Irrigation District (TID) water late June. The Talent Ashland Phoenix (TAP) Intertie Project would meet the August 15, 2014 deadline and would test the system the week of August 25, 2014 with water available the first week of September if needed. The TAP Intertie project would come in under budget. The new lawn replacement program launched by Conservation Specialist Julie Smitherman was successful with 50 applications received. They would hold a community drought meeting August 12, 2014 along with the Ashland Chamber of Commerce at Southern Oregon University in the Rogue River Room of Stevenson Hall. Supervisor of Water Quality Steve Walker explained the City reallocated TID water rights for 94 residents within city limits instead of reallocating water rights from larger users for waste and efficiency reasons. Mr. Faught doubted they would recommend that action in the future.

CONSENT AGENDA

- 1. Approval of commission, committee, and board minutes**
- 2. Acceptance of a Federal Aviation Administration grant**
- 3. Award of a construction contract to the apparent low bidder for the Ashland Municipal Airport taxilane extension**
- 4. Contract for Legal Services for Douglas M. McGeary**
- 5. Review of contract error on social service grant to Mediation Works for BN 2013-2015**

Councilor Voisin pulled Consent Agenda items #3 and #5 for further discussion. Engineering Services Manager Scott Fleury addressed Consent Agenda item #3 and explained Knife River Materials met the skills required by the Federal Aviation Administration (FAA) and their bid fell within the engineering estimate range. Staff would come to Council with a \$16,000 appropriation for the project. The City's 10% requirement contribution of \$64,000 would come from the Airport Fund as an interfund loan paid back in annual installments over a five-year period.

Administrative Services Director Lee Tuneberg addressed Consent Agenda item #5 and explained appropriations not spent in the first year of the biennium would pay the difference in the social services grant error for Meditation Works.

Councilor Voisin/Marsh m/s to approve Consent Agenda. Voice Vote: all AYES. Motion passed.

PUBLIC HEARINGS

- 1. Public Hearing and approval of an ordinance titled, “An ordinance levying taxes for the period of July 1, 2014 to and including June 30, 2015, such taxes in the sum of \$10,422,003 upon all the real and personal property subject to assessment and levy within the corporate limits of the City of Ashland, Jackson County, Oregon and repealing Ordinance 3096 and declaring an emergency”**

Administrative Services and Finance Director Lee Tuneberg explained the ordinance would reflect the Jackson County Library District Board’s decision to levy .60-cents per \$1,000. The first year would not require funds for the additional hours from the Ashland residents. The proposed ordinance would repeal the one passed in June and certify to Jackson County the tax rates for 2014-2015. The .21-cent local option levy could return in the future.

**Public Hearing Open: 7:26 pm.
Public Hearing Closed: 7:26 p.m.**

Mr. Tuneberg read the ordinance aloud.

Councilor Morris/Rosenthal m/s to approve Ordinance #3098. Roll Call Vote: Councilor Rosenthal, Marsh, Voisin, Slattery, Morris, and Lemhouse, YES. Motion passed.

PUBLIC FORUM

Harry Fuller/243 Granite Street/Explained he was the Board Director President of the Klamath Bird Observatory and thanked Council for their support of Bird Observation Day. The event was successful and attendees spent an estimated \$47,000 in Ashland.

UNFINISHED BUSINESS

- 1. Appointment to Budget Committee**

City Recorder Barbara Christensen explained the voting process and tallied ballots.

Councilor Marsh/Morris m/s to appoint Traci Darrow to the Citizen Budget Committee with a term ending December 31, 2017 and Garrett Furuichi to the Citizen Budget Committee with a term ending December 31, 2014. Roll Call Vote: Councilor Voisin, Morris, Lemhouse, Slattery, Rosenthal, Marsh, and Mayor Stromberg, YES. Motion passed.

- 2. Second reading by title only of an ordinance titled, “An ordinance amending the Ashland Municipal Code Title 6 Business Licenses and Regulations to add Chapter 6.50 establishing time, place, and manner regulations and a permitting process for medical marijuana dispensaries”**

City Attorney Dave Lohman noted the proposed changes to the ordinance as follows:

- **Section 6.50.020 Definitions** deleted (B) “Cash Accounting,” added language regarding financial backers to (D) “Company Principal” and (G) “Financial Interest.”
- **Section 6.50.030 Annual Permit Required:** Added “or regulation” to the end of the second sentence.

Councilor Voisin/Rosenthal m/s to add at the end of the paragraph in Section 6.50.030 Annual Permit Required, “The Ashland Police Department will retain original and renewed copies of the city

dispensary permits and results of any investigations of permittees by the Oregon Health Authority or by the City.” DISCUSSION: Councilor Voisin wanted the Police Department to be included regarding dispensary paperwork with the Oregon Health Authority. Police Chief Terry Holderness explained the Oregon Health Authority was not very forthcoming with information to the Police Department and thought another department within the City would maintain the city permit. City Attorney Dave Lohman explained staff would establish a flow chart of the process and it was undetermined who would maintain the permit information at this point. Mayor Stromberg confirmed the motion would have the records maintained in a specified department and the Police Department as well. Councilor Voisin wanted the Police to have immediate access to the files if needed. City Recorder Barbara Christensen explained the Police Department could have permissions to view electronic files if needed. Councilor Lemhouse would not support the motion. The Police could gain access to the electronic files as needed. **Roll Call Vote: Councilor Voisin, YES; Councilor Rosenthal, Lemhouse, Marsh, Slattery and Morris, NO. Motion failed 5-1.**

- **Section 6.50.040 Initial Permit Application and Fee:** Language change to (A), “City offices” replaced and in (A) (2) “Ashland Community Development Department,” (A) (2) add language “or have had within the preceding year, a financial interest.”
- **Section 6.50.050 Permit Termination** added language “medical marijuana” to section (J).

Councilor Voisin/Lemhouse m/s to amend motion to restore Section 6.50.040 Initial Permit Application and Fee (8) “Such other information deemed necessary by the Administrator to conduct any investigation or background check (including finger prints) of the operator and persons or entities providing equity or debt financing for the dispensary.” DISCUSSION: Councilor Voisin explained the motion gave the operator the authority to forward issues to the City. Mr. Lohman clarified the motion gave the City Administrator discretion to ask for more information than the state would provide and would go beyond the operator and apply to persons with financial interest in the dispensary.

Councilor Slattery would not support the motion. It applied specific rules to a select business group and gave the City Administration position too much power. Councilor Marsh agreed with Councilor Slattery, dispensaries were subject to state rules and regulations and that responsibility should fall to the state and not the City. Mr. Lohman clarified the amendment was requiring possible additional information and was not a condition. Councilor Lemhouse would not support the motion and did not think it would make a significant dent in trafficking illegal marijuana into dispensaries. Councilor Voisin responded the amendment was precautionary, similar requirements were in place with Liquor Stores and taxicabs, and gave the City local control. **Roll Call Vote: Councilor Voisin, YES; Councilor Rosenthal, Lemhouse, Marsh, Slattery, and Morris, NO. Motion failed 5-1.**

- **Section 6.50.050 Permit Termination – Renewal - Fee (C)** changed “Community Development Department” to “City.”

Councilor Voisin motioned to amend Section 6.50.050 Permit Termination – Renewal – Fee (B) to delete “automatically” adding in its place “immediately with no notification.” Motion died for lack of a second.

- **Section 6.50.060 Permit Conditions (B)** added language “land-use”, included in (H) “A person who has been convicted in any state for the manufacture of delivery of a controlled substance listed in CFR Schedule I or Schedule II once or more in the previous five years or twice or more in person’s lifetime may not be an operator of a dispensary”, deleting (J), (L), and (1) adding 6.50.020 (N), (2) added language “addresses and”, “that have, or have had within the preceding year, a financial interest” and deleting remaining language under (2) and deleting (3) and (4).

Councilor Voisin/Slattery m/s to amend motion under Section 6.50.060 Permit Conditions (E) to read “operating hours for retail sales to medical marijuana qualifying patients must be no earlier than

10:00 a.m. or later than 7:00 p.m. on the same day.” DISCUSSION: Councilor Voisin explained having a dispensary open at 10:00 a.m. protected neighborhoods from congestion and was similar to other business hours of operation.

Councilor Marsh/Lemhouse m/s to amend the amendment to move the 10:00 a.m. opening to 9:00 a.m. DISCUSSION: Councilor Marsh explained those were the hours for prescription pick up at Bi-Mart.

Voice Vote: Councilor Morris, Lemhouse, Slattery, Rosenthal, and Marsh, YES; Councilor Voisin, NO. Motion passed 5-1.

Continued DISCUSSION on amended motion amendment: Councilor Lemhouse noted Council was setting up medical marijuana dispensaries as a pharmacy and the amendment kept it consistent. **Voice Vote: all AYES. Motion passed.**

- **Section 6.50.060 Permit Conditions (I)** deleted during First Reading since the state law already had this limitation.

Councilor Voisin/Lemhouse m/s to amend motion by restoring language under Section 6.50.060 Permit Conditions (I) “A person who has been convicted in any state for the manufacture or delivery of a controlled substance listed in CFR Schedule I or Schedule II once or more in the previous five years or twice or more in the person’s lifetime may not be an operator or employee of a dispensary or have a financial interest in dispensary in the city. DISCUSSION: Councilor Voisin explained this was a requirement of taxicab business and liquor stores. Councilor Marsh wanted a good regulation in place that did not push dispensaries underground. Mr. Lohman clarified the state required background checks on operators only. City Recorder Barbara Christensen further clarified the liquor license application included the operator and other financial institutions associated with the business, not the employees. They also had to provide who would manage the store.

Councilor Slattery thought the amendment went too far and took away second chance opportunities for people. Councilor Lemhouse would support the amendment. It would benefit the Police Department regarding falsifying records and assure legitimacy to the community. Councilor Voisin further explained the amendment gave operators more transparency and the City local control. **Roll Call Vote: Councilor Voisin, Lemhouse, and Rosenthal, YES; Councilor Morris, Marsh, and Slattery, NO. Mayor Stromberg broke the tie with a YES vote. Motion passed 4-3.**

Councilor Marsh/Lemhouse m/s to amend Section 6.50.060 Permit Conditions (H) and add the following language “No minor is allowed to enter the area of the facility in which medical marijuana is present.” Voice Vote: all AYES. Motion passed.

- **Section 6.50.060 Permit Conditions (L) (2)** reduced verbiage regarding financial interest.
- **Section 6.50.060 Permit Conditions (N)** added “on the dispensary premises.”

Councilor Voisin motion to amend Section 6.50.060 Permit Conditions (N) to read “...only between dispensary personnel...”. Motion died for lack of a second.

- **Section 6.50.065 Background Checks** - deleted

Councilor Rosenthal/Marsh m/s to approve Ordinance #3099 as amended. Roll Call Vote: Councilor Slattery, Lemhouse, Rosenthal, Marsh, Morris, and Voisin, YES. Motion passed.

NEW AND MISCELLANEOUS BUSINESS

1. Direction to the Police Chief to offer the City of Ashland’s endorsement of a bill in the United States Senate to amend the Higher Education Act of 1965.

Police Chief Terry Holderness and Detective Carrie Hull went to Washington DC in June for panel discussion on sexual assault that resulted in a bill introduced to the senate amending sections of the existing federal law regarding how college campuses handled sexual assaults. New York Senator Kirsten Gillibrand contacted Chief Holderness for a formal endorsement of the You Have Options Program.

In October 2014, Ashland Police Department would hold training sessions on the You Have Options Program for interested agencies. Grants funded the program and Chief Holderness explained how grants would continue funding Detective Hull's participation in the program and allow the General Fund to pay for her former position.

Councilor Voisin/Marsh m/s to direct the Police Chief to contact appropriate U.S. Senate Staff to offer the City of Ashland's formal endorsement of a bill in the United States Senate to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence. DISCUSSION: Council expressed support and appreciation for the program and the Police Department's role. **Voice Vote: all AYES. Motion passed.**

UNFINISHED BUSINESS - continued

3. Second reading by title only of an ordinance titled, "An ordinance establishing a tax on the sale of marijuana and marijuana-infused products in the City of Ashland"

City Administrator Dave Kanner noted substantive changes only to the ordinance:

- **Section 4.38.020 Definitions (F)** would read "Purchase or Sale" means the retail acquisition or furnishing for consideration by any person of marijuana within the City and does not include the acquisition or furnishing of marijuana by a grower or processor to a seller."
- **Section 4.38.020 Definitions (H)** would read "Retail sale" means the transfer of goods or services in exchange for any valuable consideration and does not include the transfer or exchange of goods or services between a grower or processor and a seller."
- **Section 4.38.030 Levy of Tax (B)** "The amount of tax levied shall be established by a City Council resolution as follows:
 - 1) Up to five percent (5%) of the gross sale amount paid to the seller by a registry identification cardholder.
 - 2) Up to Ten percent (10%) of the gross sale amount paid to the seller of marijuana and marijuana-infused products by individuals who are not purchasing marijuana under the Oregon Medical Marijuana Program.

Councilor Rosenthal/Marsh m/s to amend ordinance under Section 4.38.030 Levy of Tax to delete (B) (1) and (2) and end with "amount of tax should be established by City Resolution."

DISCUSSION: Councilor Rosenthal explained it was unusual for ordinances to have this type of specificity and removing it allowed more versatility. Staff clarified future Councils could change the ordinance but it was easier to change a resolution. The ordinance established a ceiling for the tax rate and the amendment removed the ceiling. Staff would bring a resolution establishing rates to the next Council meeting.

Councilor Lemhouse/Slattery m/s to amend the amendment to eliminate the tax on medical marijuana.

DISCUSSION: Councilor Lemhouse wanted dispensaries to operate like pharmacies and it was hard to justify taxing medicine. Councilor Slattery agreed. Councilor Marsh planned to support the tax ceiling on medical marijuana and vote for a zero amount on the resolution. Mr. Kanner clarified that pharmaceuticals were exempt from sales tax but heavily taxed by the federal government at many layers in the production cycle. Currently there were no taxes on medical marijuana at any step. Councilor Voisin would not support the amendment. Mr. Kanner was not aware of any local taxes on pharmacies in addition to federal taxes. Councilor Lemhouse understood the rationale but it was difficult for him to put a local tax on medicine. Councilor Slattery wanted this Council to make a value statement and not tax medical marijuana. Mayor Stromberg supported establishing a resolution setting taxes. It was unknown what the state would do if marijuana were legalized. Councilor Rosenthal would not support the amendment. **Roll Call Vote:**

Councilor Lemhouse and Slattery, YES; Councilor Marsh, Voisin, Rosenthal, and Morris, NO. Motion failed 4-2.

Roll Call Vote on main amendment: Councilor Marsh, Voisin, Rosenthal, Lemhouse, Slattery, and Morris, YES. Motion passed.

Councilor Voisin/Rosenthal m/s to approve Ordinance #3103 as amended.

Roll Call Vote: Councilor Morris, Slattery, Rosenthal, Lemhouse, Voisin, and Marsh, YES. Motion passed.

4. Second reading by title only of an ordinance titled, “An ordinance amending AMC Chapter 2: Rules of City Council, Uniform Policies and Operating Procedures for Advisory Commissions and Boards, Recreation Commission; Conservation Commission; and Certain Administrative and Operating Departments”

City Attorney Dave Lohman read substantive amendments and changes to the ordinance:

- **Section 2.04.010 Authority (E)** – the provision listed areas where the rules could be suspended.
- **Section 2.04.020 Meetings (C) Study Sessions**

Councilor Voisin/Slattery m/s the amend the ordinance to add to Section 2.04.020 (C) each Study Session shall include up to 15 minutes for public forum, in which persons may speak about any topic on the agenda for that study session. Persons wishing to speak during public forum are to submit a “speaker request form” to the City Recorder. DISCUSSION: Councilor Voisin thought it was important to have public input. Councilor Slattery supported the motion. Councilor Lemhouse thought Study Sessions had gotten away from the intended use and adding time for public input would affect it further. Councilor Rosenthal would support the motion. Councilor Morris would not support the motion. It would affect Study Sessions original purpose. Mayor Stromberg agreed with Councilor Morris, Study Sessions were working sessions. Councilor Marsh suggested extending the time of the Study Sessions to 7:30 p.m. to allow for public input. Councilor Voisin thought the meetings should extend to 7:15 p.m. **Roll Call Vote: Councilor Rosenthal, Voisin, Marsh, and Slattery, YES; Councilor Morris and Lemhouse, NO. Motion passed 4-2.**

Councilor Marsh/Lemhouse m/s that Study Sessions shall begin at 5:30 p.m. on the day before each Regular meeting, but shall not be held on national holidays. Voice Vote: all AYES. Councilor Voisin was out of the room.

- **Section 2.04.040 Conduct of Meetings (C) (2) Deliberation Rules**

Councilor Lemhouse/Marsh m/s that Section 2.040.040 (C) (2) read as follows: “Council deliberation shall be characterized either as “general discussion” or as “debate.” “General discussion” as used in this section 2.04.040 (C) means the presentation and clarification of facts about a matter under consideration or the statement of preliminary positions concerning such a matter without engaging in argumentation for or against one’s position and before seeking a specific decision on the matter either by means of a motion or by means of informal consent by a majority of Council members. The meaning of “debate” as used in this section 2.04.040 (C) is argumentation for or against a specific decision, which has been proposed by means of a formal motion or by means of a request for informal consent by a majority of Council members. “Deliberation towards a decision” as that term is used in Oregon Public Meetings statues is included in the definition of “debate” and excluded from the definition of “general discussion” herein.” DISCUSSION: Councilor Lemhouse clarified the motion distinguished deliberation, discussion and debate. Councilor Marsh would not support the motion. The current language was sufficient and worked well. Councilor Voisin agreed with Councilor Marsh. Councilor Rosenthal would not support the motion either. It came down to the professionalism of the group of people and effectiveness of the person running the meeting. **Roll Call Vote: Councilor Lemhouse, YES;**

Councilor Rosenthal, Voisin, Marsh, Slattery and Morris, NO. Motion failed 5-1.

- **Section 2.04.040 Conduct of Meetings (C) (3) Decorum** added “Except by permission of the presiding officer, a councilor shall address any remarks to the Council, and not to the audience,” also adding “Disruptive behavior includes engaging in violent, intimidating or...or gestures...”

Mr. Lohman confirmed the provision applied to both Council and the audience. The presiding officer or a majority vote by Council had the authority to decide what was intimidating and distracting.

- **Section 2.04.040 Conduct of Meetings (C) (4) (b) (2) Permissible Intervening Actions While a Speaker Has the Floor (2) Request of Information** added third sentence “The speaker must discontinue speaking until the request for information has been denied or satisfied. No second is required, and no colloquy is allowed on the request for information, except to the extent specifically set for herein,” adding to fifth sentence “...nor a statement of the nature of the information sought...” and adding last sentence, “An objection to apparently superfluous for information may be made through a point of order.”

Staff confirmed the Chair would ask the person who had the floor if they were willing to allow a request for information. This would apply to requests for clarification as well.

- **Section 2.04.040 Conduct of Meetings (C) (4) (e) Withdrawal** added, “Withdrawal of a motion does not require a second, and debate of a proffered withdrawal is not allowed.”
- **Section 2.04.050 Order of Business at Regular Meetings** added, “The Mayor’s State of the City address shall occur at a Regular Meeting in January of each year.”

Councilor Marsh/Lemhouse m/s to amend Section 2.04.050 Order of Business at Regular Meetings that the State of the City shall occur at a Regular meeting in January of each year.

Councilor Rosenthal/Voisin m/s to amend the amendment to Section 2.04.050 Order of Business at Regular Meetings that the Mayor shall present the State of the City each year.

DISCUSSION: Councilor Morris would not support the motion and thought the State of the City address should occur in January. Councilor Slattery agreed. **Roll Call Vote: Councilor Rosenthal and Voisin, YES; Councilor Marsh, Slattery, Morris, and Lemhouse, NO. Motion failed 4-2.**

Roll Call Vote on the amendment: Councilor Rosenthal, Voisin, Marsh, Slattery, Morris, and Lemhouse, YES. Motion passed.

- **Section 2.04.050 Order of Business at Regular Meetings (D) Public Forum (4)** added sentence, “When possible and feasible, preference will be given to the individuals who reside within the city limits of Ashland. Person who do not reside I the City may be placed at the end of the list of those wishing to speak at public forum.”

Councilor Marsh/Lemhouse m/s to amend Section 2.04.050 (F) (1) Public Hearings “...up to 10:30 p.m.” **DISCUSSION:** Councilor Marsh explained extending public hearings to 10:30 gave Council flexibility. Councilor Lemhouse agreed. Councilor Voisin preferred 10:15 for a buffer. She would not support the amendment. **Roll Call Vote: Councilor Rosenthal, Marsh, Slattery, and Lemhouse, YES; Councilor Voisin and Morris, NO. Motion passed 4-2.**

- **Section 2.04.100 Council Liaisons to City Advisory Boards and Commissions (B) Attendance** added “...should attend Regular meetings of the Regular and ad hoc advisory bodies to which they have been assigned as time permits and should make special efforts to attend meetings in response to specific requests to participate in discussions on topics the Council may need to be aware of or provide input on,” and deleted language regarding a liaison not able to attend.

Mayor Stromberg had attendance concerns primarily due to the number of Commissions, Committees, and ad hoc Committees Council Liaisons participated in.

Councilor Lemhouse/Slattery m/s to amend Section 2.04.100 (B) adding back into the language “In the event a liaison has difficulty attending, the liaison should find an alternate to attend or review the video or other record of the proceeding. In the event of a continuing scheduling conflict, the Liaison should ask the Mayor to be reassigned.” **DISCUSSION:** Councilor Lemhouse shared the Mayor’s concern on attendance and coverage. Councilor Slattery suggested the Commissions, Boards, and ad hoc Committees note which meetings required Council Liaison attendance. Mayor Stromberg noted the need to balance competing needs, resources, and viewpoints. Councilor Voisin would support the motion. **Roll Call Vote: Councilor Rosenthal, Voisin, Marsh, Slattery, and Lemhouse, YES; Councilor Morris, NO. Motion passed 5-1.**

- **Section 2.04.110 Council Representatives to State, Regional, Community and other External Organizations (A) Role and Responsibilities of Council Representatives (3)** added new first sentence “In their work as City Representatives, City Councilors are expected to represent fully the City Council accurately and objectively and to depict the position of other Councilors accurately and objectively,” and added language to the sentence, “...and shall report to the Council on the matter discussed in the external organization at the next feasible opportunity thereafter.”

Councilor Lemhouse/Marsh m/s to amend the motion and add Section 2.04.115 Councilor Conduct in Other Forums as follows: A Council member is free to express personal views on any issue in any forum as long as any statements he or she makes about the positions of the full City Council and the positions of other individual Council members are accurate and objective. Upon two-thirds vote of the entire Council, a Council member may be censured for noncompliance with this requirement.” **DISCUSSION:** Councilor Lemhouse explained this had been an issue and thought it needed clarifying. Councilor Voisin confirmed that forum included the actual Council meeting. Mayor Stromberg did not think the rule would produce the outcome intended. **Roll Call Vote: Councilor Rosenthal, Marsh, Morris, and Lemhouse, YES; Councilor Voisin and Slattery, NO. Motion passed 4-2.**

- **Section 2.10.020 Terms, Term Limits and Vacancies** added to first sentence, “..., and except for certain members of the Municipal Audit Commission, as provided in AMC 2.11.015.”
- **Section 2.10.025 Meetings and Attendance (B)** added to second sentence, “...at least 75% of the full advisory body’s noticed meetings, study sessions, and special meeting in each full year of their tenure.”
- **Section 2.10.040 Quorum and Effect of Lack Thereof** added to last sentence, “...no motion, debate or vote ...other than adjournment takes place.”

Councilor Marsh/Rosenthal m/s to amend Section 2.10.060 Agendas and Minutes to change sentence to “...within a few days after approval of minutes.” **Voice Vote: all AYES. Motion passed.**

- **Section 2.10.110 Lobbying and Representing the City** added “Members of City advisory bodies shall not state the position of the City or of a City advisory body at meetings or in correspondence with federal, state, regional, local or community organizations or elected bodies unless specifically authorized to do so by the City Council and by the advisory body at duly advertised meetings. An individual advisory body member is free to express personal views on any issue in any forum as long as the individual makes clear that he or she is not speaking as a member of the advisory body and that the views expressed are personal and do not represent the position of the City or of the City advisory body.”

Councilor Marsh/Rosenthal m/s to amend and strike the first sentence of 2.10.110 and leaving “An individual advisory body member is free to express personal views on any issue in any forum as long as

the individual makes clear that he or she is not speaking as a member of the advisory...” Voice Vote: Councilor Voisin, Morris, Lemhouse, Marsh, and Rosenthal, YES; Councilor Slattery, NO. Motion passed 5-1.

- **Section 2.11.015 Modified Terms and Qualifications (A) Terms** added language specifying City Recorder and Liaison Budget Committee member.

Councilor Lemhouse/Slattery m/s to approve Ordinance #3100 as amended. Roll Call Vote: Councilor Rosenthal, Marsh, Morris, Lemhouse, Voisin, and Slattery, YES. Motion passed.

ORDINANCES, RESOLUTIONS AND CONTRACTS

1. Second reading by title only of an ordinance titled, “An ordinance amending Ashland Municipal Code Chapter 1.08 General Penalty, Sections 1.08.010, 1.08.020 and 1.08.030 compliant with current state statues”

Councilor Marsh/Lemhouse m/s to approve Ordinance #3101. Roll Call Vote: Councilor Lemhouse, Morris, Marsh, Slattery, Voisin, and Rosenthal, YES. Motion passed.

2. Second reading by title only of an ordinance titled, “An ordinance repealing temporary moratorium on establishment of medical marijuana dispensaries”

Councilor Lemhouse/Voisin m/s to approve Ordinance #3102. **DISCUSSION:** City Attorney Dave Lohman noted the exclusion of Section 2 removing the emergency provision. Roll Call Vote: Councilor Lemhouse, Morris, Marsh, Slattery, Voisin, and Rosenthal, YES. Motion passed.

3. Second reading by title only of an ordinance titled, “An ordinance relating to adoption of the Oregon Fire Code and amending AMC Chapter 15.28”

Councilor Lemhouse/Rosenthal m/s to approve Ordinance #3104. Roll Call Vote: Councilor Voisin, Morris, Lemhouse, Slattery, Rosenthal, and Marsh, YES. Motion passed.

OTHER BUSINESS FROM COUNCIL MEMBERS/REPORTS FROM COUNCIL LIAISONS

ADJOURNMENT OF BUSINESS MEETING

Meeting adjourned at 10:30 p.m.

Barbara Christensen, City Recorder

John Stromberg, Mayor