

Marijuana may land on city agenda soon

Written by Chris Lee

In his report during the Tuesday, Dec. 4 Holyoke City Council meeting, city attorney Al Wall said the city will most likely have three options when it comes to marijuana, following the passage of Amendment 64 in November.

A couple meetings ago, council members casually brought the subject of marijuana up after Colorado voters passed Amendment 64 during the general election.

“There’s been a lot of controversy about it,” Wall said.

Wall said it looks like local entities will have three choices. The first would be to enact an ordinance to prohibit cultivation, marijuana facilities or any sales in the community.

Wall said that wouldn’t work against someone possessing marijuana. The police couldn’t arrest someone, he said. However, the operations under Amendment 64 could be stopped by an ordinance.

The second option would be to refer it to a referendum and put the issue on the ballot on an even numbered year.

The final option would be to sit back and let the state figure out what the next step would be as to regulations.

Wall wanted to let the council know, and if they were interested in preparing an ordinance, he would work with them. Councilman Kevin Scott wanted to know if the city would have to do anything if the county decided to enact something similar. Wall said the county would only include the unincorporated areas, so the city would still need to do something.

“You guys can think about it,” Wall told council members.

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Councilman Steve Moore said he thinks it should be put up for a vote. "The citizens of Colorado voted for it. Let the town vote for or against it," Moore said.

JC Peckham reiterated they would have to wait until 2014 for a vote. Wall said the tax issue could string the process out. Wall did say temporary permits may come as soon as January, however.

"I don't know what they're going to do. Your guess is as good as mine," Wall said.

Scott Murray questioned if the schools would still receive some of the money as outlined within the amendment, if the city was to enact something.

Wall said it is kind of up in the air about how the tax revenues will work.

"We should probably wait and see what the state does," Murray suggested.

Mayor Tonsing laid out a scenario where an ordinance could be made and enforced until the next general election. Wall said he hadn't thought about that, but it could be a possibility.

Tonsing said in his opinion, they need to stop it until they can understand what is happening.

No action was taken during last Tuesday's meeting. Wall just wanted to get the council members thinking about what they want to see happen.

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Annual appropriations ordinance approved

Council members approved the final reading of an ordinance outlining appropriations set forth to defray expenses and liabilities of the City for 2013.

Total appropriations in the budget are \$6,401,571 with the majority in the general fund, \$2,894,252, and utility fund, \$3,116,581.

Other appropriations were as follows:

Sale of Heginbotham Land Fund \$ 150

Equipment Replacement Fund 76,500

Library Land Fund 649

Cemetery Perpetual Care Fund 5,400

Fire Pension Fund 19,675

Massman Memorial Fund 100

Contingency Fund 0

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Cem White/Leeper Memorial Fund 11,056

Conservation Trust Fund 70,000

LeBlanc Estate Fund 7,208

Capital Reserve Fund 0

Spindler Library Fund 5,000

Wages will not be adjusted for Deselms

Jeff Deselms, who is filling in for City Supt. Mark Brown while he is away, said he doesn't want to see his wages adjusted.

Tonsing said he feels Deselms deserves some sort of adjustment for undertaking the city superintendent position for an extended period of time.

Peckham said he appreciates what Deselms is doing for the city but doesn't feel this is a situation where it is needed. "I view it as the next man up," Peckham noted. He said he has been contacted by people within the community as well as some of the city employees who don't like the idea.

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Deselms said he was shocked to see the issue on the agenda and noted he didn't ask for an adjustment. He also said he knows the feelings of the other employees.

Peckham used many examples explaining Deselms is simply filling the shoes for Brown. Council members said Police Chief Doug Bergstrom filled in for former Chief Phil Biersdorfer on a couple different occasions and wasn't compensated any differently. Only when Biersdorfer was let go did the compensation change.

After a lengthy back-and-forth discussion, Murray made a motion to adjust the wages for Deselms. Moore said he felt they needed to discuss how much and exactly what they wanted to do before making a motion.

After a little more discussion, Deselms spoke up and told the council it would make his life easier if nothing was done. He said he appreciated the thought, but it would be easier if he kept filling in for Brown and no adjustment was made.

For a lack of a second, Murray's motion died with no action being taken.

Reports of city officials

Council members heard a report from Deselms.

Deselms said Brown visited the office and said doctors were planning to let him go back to work toward the end of December. Brown underwent a surgery, and Deselms is covering while he is away.

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Deselms said the city was gearing up to begin work on extending the sewer service for the new hotel being built south of the city park. Work was scheduled to begin Wednesday, Dec. 5 on the sewer.

Councilman Kevin Scott informed police chief Bergstrom that he was told that one of the officers went out to shoot at the range on the east side of town and there was somebody shooting trap. Scott said he was told the officer informed the person they couldn't shoot trap because it was inside the city limits.

Bergstrom said he would look into it as it is legal to shoot trap at the range. Bergstrom thinks the officer probably thought trap could only be shot while the gun club was open.

Other business

In other business Dec. 4, council members:

—allowed city clerk/treasurer Kathy Olofson to certify the mill levy at 21.8 mills (21.2 General, .6 for Volunteer Fire) and to adjust the revenue in the 2013 budget to reflect the assessor's final valuation.

—approved to offer two individual vacation days as a door prize for employees at the Christmas party.

—approved additional expense for dirt work to do the sewer for the new hotel. The city doesn't have the equipment to dig deep enough for a portion of the sewer so they will utilize Gary Carper during part of the sewer project.

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—held a short work session after the meeting to discuss nuisance/junk ordinance and parking ordinance with Wall.

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