

TOWN OF SPRINGERVILLE PLANNING AND ZONING COMMISSION

MEETING MINUTES

October 27, 2021, at 6:00 PM

Springerville Town Council Chambers-418 E. Main St., Springerville, AZ 85938

Attendees: Chairman-Don Scott, Vice Chairwoman-Terry Shove, Commissioner-Trinity Raymer, Tim Rasmussen-Interim Community Development Director/Zoning Administrator, Stormy Palmer-Administrative Assistant

1. **CALL MEETING TO ORDER:** Chairman Don Scott called the meeting to order at 6:00 PM.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Administrative Assistant Stormy Palmer completed a roll call: Chairman Don Scott-Present, Vice Chairwoman Terry Shove-Present, Commissioner Theresa Becker-Absent (Recused), Commissioner Trinity Raymer-Present, Commissioner Will Sands-Absent. A quorum is present.
4. **PUBLIC PARTICIPATION:**
 - a. Mike Campbell: Has done some further research on applicants for Conditional Use Permit for dispensary that was denied, and since that meeting changes have been made to applicant's information on Corporation Commission's website. He mentions this so that Commission will realize and possibly do research knowing that a lot of people in marijuana businesses do "shady" things.
 - b. Kay Dyson; offered opening prayer.
 - c. Anthony Rubalcava: Expressed concerns over issue with overgrown trees on sidewalk at Pima and Main Street, stated that his grandmother was injured there. He would like to see something done about the trees.
 - d. Ginger Harding: spoke about documents she filed with the Town Clerk, as well as other Town employees, she would like to submit as a later agenda item. The documents are a copy of Eagar's ordinance not allowing marijuana businesses within their town limits. She would like the Town to consider this format and do something similar not allowing marijuana businesses in the Town.

There were no further speakers for the Public Participation agenda item.

5. **PUBLIC HEARING:** Vice Chairwoman Shove motioned that the Commission go into a Public Hearing regarding item a; Commissioner Raymer seconded. Chairman Scott called for the vote; motion was approved unanimously, 3-0. Public Hearing was conducted as follows:
 - a. considering amending Title 17 (Zoning) of the Town Code in accordance with proposed Ordinance No. 2021-002. The proposed amendments are related to the regulation of recreational marijuana:
 - i. Bob and Kay Dyson: Administrative Assistant read aloud written correspondence where they stated that they would like the current medical marijuana ordinance rescinded and an ordinance put in not allowing marijuana businesses in the Town.
 - ii. Shannon Latham: Administrative Assistant read allowed two letters from Ms. Latham, one being submitted for a previously cancelled meeting. Both letters stated Ms. Latham's concerns regarding the effects of marijuana on children and

how a dispensary could make them think marijuana was not a bad thing. She also expressed concerns about the effect a dispensary would have on the community.

- iii. Todd Workman: Administrative Assistant read aloud a letter from Mr. Workman who works in the Round Valley school system. He expressed concerns on the effects of marijuana on children, and is opposed to having a dispensary in the community
- iv. Jo Gallagher: Administrative Assistant read aloud a letter from Ms. Gallagher. She gave back-ground information on the effects drugs have had on her family. She believes marijuana is a gateway drug. She does not want a dispensary in the community and is concerned about the effects drugs, marijuana in particular, will have on the families in the community.
- v. Monica Boehning: Administrative Assistant read aloud a letter from Ms. Boehning. The letter asked detailed questions regarding what legally could be allowed regarding recreational marijuana as well as questions regarding the proposed ordinance. She has concerns about the proposed ordinance not being clear enough, which could cause confusion and problems later on. She also has concerns about the enforcement of the ordinance. She does not believe that marijuana businesses should be allowed in Town.
- vi. Luke Gallagher: Spoke of becoming addicted to cigarettes at a young age because he had seen his parents smoking. He also saw his father's issues with alcohol. Mr. Gallagher cited scriptures regarding keeping children safe, being an example for them, stating that kids do what they see their parents doing. He has concerns that if the children see their parents using recreational marijuana they will think it is allowed or "ok" to use too.
- vii. Slade Morgan: Stated that he is the Superintendent for Round Valley Schools, he has concerns on the effects marijuana will have on children. He stated that the schools already have a major problem with the kids vaping, and he has concerns that marijuana would be just as bad.
- viii. Monica Boehning: Stated at the August 24th meeting she submitted a list of questions that are similar to the ones read in her letter earlier, and has not received a response as of today. She is hoping to have some of her questions answered this evening, and that she hopes the Commission will take her questions into consideration before making a final decision.
- ix. Mike Campbell: Spoke about restricting to no marijuana sales period. He had questions/concerns about the proposed ordinance: why the Town wants three dispensaries, why enlarging the building size, why extending hours of operation, why does ordinance need to be approved on emergency basis? He ended by stating that he is opposed to dispensaries in the community.
- x. Steve Konorosky: Stated that marijuana is a "dirty" business, spoke of town in California that was overrun with dispensaries that cause pollution and crime rates to rise. The majority of these dispensaries turned to illegal matters in getting their products, and now there is only one legal dispensary in that town.

- xi. Kay Dyson: Gave comments from other sources, stating that marijuana businesses do more harm than good, and that marijuana causes problems for users and their families. That there have been issues with getting the correct tax revenue, the money is not always there. Knows that people need a way to “relax or unwind” stated that CBD products are available from local businesses.
- xii. Angie Kelly: Agrees with other people that have stated that legalization in other states has turned towns “upside down”. She has concerns about the police departments being overwhelmed trying to enforce the laws, kids using, and parents being absent, deserting their kids for drugs.
- xiii. Scott Newby: Stated that the financial gain is not worth it, that he is concerned for the kids and their futures if this is allowed. He spoke about family members and friends with addictions, stating that they all started with marijuana. He does not want marijuana businesses in the community.
- xiv. Jennifer Rose: Stated that she works for Round Valley Schools, she used to work for Snowflake Schools. The dispensary and the grow facility have issues with the town receiving revenue, and major security issues. She has concerns about the children as she has seen the effects marijuana has had including learning deficits and disabilities.
- xv. Larry Rose: Works with the online students at Round Valley Schools. He has seen the effects on children and adults after use, has seen it cause issues. Stated there were issues with the grow facility in Snowflake, security etc. He does not want marijuana businesses in town.
- xvi. Pat Kelly: Stated that the Town needs to “just say no.” Spoke of friends that died from drugs, and that marijuana is a gateway drug.
- xvii. Rachelle Austin: Stated that she works with Shannon Latham with various youth groups in the area, and is a morning radio host. She stated that she’s heard of other areas not getting the revenue they are supposed to, and having security issues. She believes that the kids will get access, and that having a marijuana business/dispensary will be a detriment to the community.
- xviii. Fred Harper: Stated that he hopes reason will prevail and the Town will say no to any type of dispensary. He stated that the Town should respect the wishes of the voters and not allow marijuana in the community, he believes to do so would create lots of consequences.
- xix. Barbara Allen: Spoke about getting away from her addiction to opioids using medical marijuana. While she does agree with medical use, she does not think recreational sales should be allowed including cultivation and infusion. She talked about the high cost of products for medical users. She stated that she uses medical marijuana sparingly, she believes it can be addictive.
- xx. Ginger Harding: She has concerns that the applicants for marijuana businesses are wanting to put them on main roads in town. She also stated that in her research she has found that the businesses that are applying have many corporation names listed, all being from out of town. She also has concerns that previous applicants have admitted to using or growing marijuana before it was

legal, that this could lead to other criminal activity. She does not want marijuana businesses in town at all.

Chairman Scott had inquired if there was any further discussion on the item for Public Hearing; Vice Chairwoman Shove had motioned to go out of public hearing, Commissioner Raymer seconded. Chairman Scott called for the vote, motion passed unanimously, 3-0. The Public Hearing portion was closed.

6. **EXECUTIVE SESSION:** Vice Chairwoman Shove motioned for the Commission to go into Executive Session for legal counsel, Commissioner Raymer seconded. No discussion was held. Chairman Scott called for the vote; motion was passed unanimously 3-0. Following the end of the Executive Session, Vice Chairwoman Shove motioned to go back into the regular meeting, Commissioner Raymer seconded. No discussion was held. Chairman Scott called for the vote; motion passed unanimously, 3-0. Meeting was resumed at 8:25 PM.

OLD BUSINESS

7. Chairman Scott introduces the item considering amending Title 17 (Zoning) of the Town Code in accordance with proposed Ordinance No. 2021-002. The proposed amendments are related to the regulation of recreational marijuana. Vice Chairwoman Shove motions to reject the proposed ordinance, Commissioner Raymer seconds. Vice Chairwoman Shove addressed the audience stating that the Commission had taken the public's comments and questions into consideration, and that changes needed to be made but it was too much to do in one evening. She also stated that even though the Commission is recommending to not accept the proposed ordinance, it will have to go to the Town Council for a final decision. No further discussion was held. Commissioner Scott calls for the vote; unanimous 3-0, proposed ordinance is rejected. Commissioner Scott asked Mr. Rasmussen to advise the Town Council that the Commission would be willing to participate in a Work Session to relay information to the Council regarding what they have heard and learned in the public hearings on this matter.

NEW BUSINESS

8. **NONE**
9. **ADJOURNMENT:** Vice Chairwoman Shove motioned to adjourn; Commissioner Raymer seconded. Chairman Scott called for the vote; motion passed unanimously, 3-0. Meeting was adjourned at 8:30 PM.