

**GRAND JUNCTION CITY COUNCIL  
MINUTES OF THE REGULAR MEETING**

**August 4, 2010**

The City Council of the City of Grand Junction convened into regular session on the 4<sup>th</sup> day of August 2010 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras, and Council President Teresa Coons. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Coons called the meeting to order.

**Public Forum on Medical Marijuana**

Council President Coons announced the purpose and the format of the meeting. She explained how she will solicit comments. There is one topic, the retail sales of medical marijuana and marijuana infused products. The subject of the Constitution or those rights under the Constitution is not something the City Council is looking at affecting. The recent legislation gave local jurisdictions the ability to decide whether or not to allow the retail sales and how to regulate them if allowed. The City Council will eventually have the opportunity to make a decision to either ban, to allow but regulate or refer the issue to the ballot and ask the citizens. The decision will not be made tonight but rather the purpose is to gather input and this is the first of two public forums.

As far as ground rules, there are sign in sheets, and she asked speakers to limit comments to three to five minutes so the Council can hear from as many people as possible. There will be a short break every hour. She asked that cell phones please be silenced.

The public forum was opened at 7:07 p.m.

Kirk Rider, 872 Quail Run, present as an attorney at 200 Grand Avenue, representing a provider, said that not long ago he would have been surprised to be speaking on medical marijuana. About three months ago he began to help a client and he has learned there are many legitimate patients and many legitimate doctors that believe in administration of medical marijuana and there are some reputable people in the business. Mr. Rider pointed out several representatives of the business and their patients and said they can answer questions. He conceded that there are some people in the business that he would not have as clients. There are a broad range of providers. This does call for regulation. This is not something for the ballot. The caregiver option is unrealistic, the restrictions are so severe. The restrictions do not allow any profit, so he questioned who is going to do it?

Don Pacini, a cardiologist, stated that allowing medical marijuana is just a thin excuse for legalizing marijuana. Medical marijuana has been available as Marinol for a long time. There is no medical reason for marijuana. The reason Marinol is not used is it is not all that effective; it is used to increase appetite for AIDS patients and to alleviate nausea with chemotherapy. How desperately ill patients are treated is one thing. He urged that these dispensaries need to be shut down. If it is decided to be dispensed, then dispense it through a pharmacy. It has a high addiction potential.

Cristin Groves, owner of a center, distributed prepared packets for the Council. Since the new bill, Council can decide whether to allow and regulate it or ban the centers. The City of Centennial tried to ban marijuana and a judge determined that was unconstitutional. If it gets banned, what kind of legal issues will that create for the City? The other thing is if it is banned, what does that mean for the City? The Health Department will be responsible for regulating the caregivers, not the City, and they won't get any revenue. In cities that are banning medical marijuana, there is a potential for bad things to happen because there are no regulations.

Brian Groves, co-owner of a center with his wife Cristin, would like to reiterate not being able to control or regulate caregivers and how they operate especially in residential areas. By having centers, there are regulations. Many hours were spent last week to comply with the State requirements in which each had to provide a lot of information to the State. His feeling is it will be very difficult to regulate caregivers. There are currently centers operating and they have been operating for about a year with no problems. There are some that give the centers a bad name, but most are trying to help their patients and do the best they can.

Karie Morris, Fruita, works at a center, and is a legal marijuana user for her arthritis and for pain in her back. She is extremely grateful that she can obtain her marijuana from a well-lit, well-informed environment. There are 66 cannabinoids in the plant and it takes all of them to provide the analgesic and anti-inflammatory properties. The regulations apply to centers but those regulations don't apply to caregivers. It took her seven days to put the documents together for the State application.

Ken Tigert, 304 Acoma Drive, is a disabled vet and is an insomniac on multiple medications and pain relievers. Mr. Tigert would rather not be on the medication the VA has him on. Two tokes of marijuana helps him go to sleep and he does not wake up with a hangover. He believes that this is one small step of shutting down the drug cartels. His provider supplies him with free marijuana, he does not smoke it every day, sometimes there is nothing he can do except take a toke to settle down. This is a medication that actually relieves people's pain.

John Colley, 464 31¼ Road, asked Council to not take away his medical marijuana; his depression is overwhelming.

Tina Hall, 2679 Caribbean Drive, owner of a center, said they help their patients. If this is put to a vote a lot of people will not understand what is going on. A ban will destroy sick people's quality of life. She is against banning and so are the patients. Some of these businesses have multiple leases, and it would hurt the business owners. City Council can come up with the regulations, everyone would comply. The State application was very hard, if they can pass the State's application, there won't be a problem and she has turned in her application to the State. The State has a lot of information on all of the owners; her center has been open a year and never had a problem.

Sherrel Carlson, an MIP (Manufacturing Infused Products) patient and caregiver, she has done the pharmaceutical route and it made her sicker. She has tried Marinol, it doesn't work and it is very expensive. She has dysautonomia. Medical marijuana keeps her from having incessant vomiting, they don't just use the plant, they make tinctures and ointments, pain patients are not low lives, they are just very sick.

Aaron Torlin, 269 21 Road, a minister of a marijuana ministry and a provider, said the use of marijuana is a God given right. It is the tree of life; many of the forefathers used and spoke of marijuana.

Travis Chambers, used to own a center, stated if the centers are banned it will be cheaper for the caregivers but the patients will not have a safe place to get the product. Marinol does nothing for you; the dispensaries are being overcharged; only the rich can afford to own them. He didn't make any money off of his dispensary. He made money off the edibles to stay open; it should be about the patient. He is on several medications, marijuana does not eat his bones and liver up, it does not get rid of all of his pain, but an edible does help his pain. A dispensary can provide it safely.

Dusty Higgins, owner of Nature's Medicine, has spoke in the past. The reason he is so passionate about it is because of the patients. Everyone that has tried Marinol will tell you it doesn't work. The rules change every week so he has to keep changing. The patients will be the ones affected; banning takes away the ability to get the product easily. The caregiver pushes it back to the underground. He believes they run a clean operation. He paid a lot of money for the submittal of his application; \$7 million was collected by the State last week from medical marijuana retail sales applicants.

Sharon Brooks, lives in Grand Junction, takes care of a few people that are very seriously ill. They have tried other treatments but now they are being treated with a natural herb. She asked what everyone was scared of, it's a little herb that is helping people, it is a win-win situation for everyone. It has created jobs, and in her opinion, does not hurt anyone. It has offered quality of life to very sick people. She would like to see the community be a leader and set the pace because she is tired of living in the dark ages.

Steve Dillenbeck, owner of Heavenly Healing, a dispensary, described some of the research he has done and described how a patient is questioned regarding their illness and when they return they are asked how what they were given has helped them. They learn from this on how to help the next patient. There are 60,000 different strains of marijuana so it is a big job to figure out what helps. It is his belief that by putting it on the ballot it will stop that research.

Larry Cullum, said that the “safe” medications spoken about by the doctor were harmful to him. He has MS (Multiple Sclerosis) and medical marijuana helps him and he does not take pharmaceuticals. Without the centers, he would still get his medicine, just illegally. He extended an invitation for the City Council to look at his medical records; he couldn't walk two years ago. Now that he is off pharmaceuticals, he is up and walking.

Council President Coons called a recess at 8:01 p.m.

The meeting reconvened at 8:13 p.m.

Lorna Cantrell, lives in Mesa County, said she has Stage 4 cancer and is allergic to all opiates. That's when she began using marijuana and it has worked for her. Banning dispensaries will not get rid of marijuana; it will be a larger underground market. There are twelve hundred growers that turned in applications to the State. The dispensaries won't sell to minors and it will help keep all Mexican pot out of the community. It has created jobs and revenue and helping a lot of sick people. She questioned the doctor's allegation about all these non-sick people smoking marijuana; she doesn't look like she has Stage 4 cancer. If dispensaries are banned they lose everything and so does everyone else.

Michael Moore, 292 Falls View Circle, spoke for patients that couldn't be here and invited everyone out to meet the patients on August the 14<sup>th</sup>. He spoke of a dvd that was provided to Council and said he appreciates the two public forums.

Gregg Davis, 1215 Main Street, said he is from the eastern slope, he is a patient and was an owner. He was on 92 pills a day and he couldn't walk after a year of therapy. They recommended marijuana to him and weaned him off of the drugs. He is now walking; it is not what he looks like on the outside. The marijuana has helped him.

Kim Smith, 2825 Double Quincy Place, stated that she is an owner of a dispensary and that keeps the drug cartel and the dealers off the street. They get cards from the State and the physicians are recommending the use. Felons cannot work in the centers. If a caregiver's crop goes bad, that patient will have to go to another city to purchase the product.

Cody Jacobs, patient and a caregiver, said he give away plants because he has excess. There is a need for an outlet to get rid of the excess. With the regulations, there needs to be a way to use the excess.

Brenton Swenson, stated that he owns a center and has paid a lot of money to stay in business. He does this for the patients; his center cares about a lot of people. It is crazy to ban dispensaries when they are helping people out. Those against it compare it with alcohol and other hard drugs. He lives a healthy lifestyle. He believes they are not hurting anybody but helping a lot of people and does not want to put it to a vote.

Shannon Gass, director of CCHPAA (Colorado Consumer Health Protection and Advocacy Association) said he was asked to help out with his experience working with regulation in the medical agency of JCAHO or Jayco (previously known as the Joint Commission on Accreditation of Healthcare Organizations, and still informally called "JCAHO" or "Jayco). Several have contacted him to work with and ensure that the dispensaries show competence and regulate themselves. Testing and publishing results and working toward a model and creating a certification would be a benefit. He is concerned about containments. There is much more than the smokable form, he is interested in promoting the safest form, promoting a better standard for the community.

Eric Hoffman, 1887 Deerpark Circle South stated that his grandmother is a God fearing woman in her 80's and has cancer. She is a patient now, but she does not have access to a center and cannot find a caregiver as she lives in a rural area and she cannot travel. He believes that if one person can benefit from this, it will change one's mind and viewpoint.

Samantha McClelland, 2701 J Road, Fruita, said she is 33 years old and is a mother of four and a patient. She has suffered from epilepsy all her life, has grand mal seizures and used Dilantin until she became allergic. She died and was in a coma for three months, then she was put on Phenobarbital. She weaned herself off the Phenobarbital and uses edible marijuana and she has been seizure free for a year and half. Using marijuana allows her to function, to drive, and to spend time with her kids.

Chris Lozano, 536 Normandy Way, is a full time student at Mesa State. He started getting headaches last summer and was diagnosed with severe migraines. He was given medication by student health that makes him sleep 14 to 16 hours a day. He could not function so he tried medical marijuana in January and is now going to class. He is able to sleep and he is functional. Without a dispensary he won't be able to get his medication and is scared of the thought of them being closed. He was against it going to a vote and what matters is what the local authority thinks.

Laura Springer, 483 Logan Lane, Fruita, is a partner in Weeds. She loves her job, she loves dealing with the patients and she hears these stories all the time. She wants to talk

about one product, Elsie's cream (marijuana infused). This cream helps arthritis and cures a headache. It is amazing and it would be a shame not to have the cream available. If this issue is put to a vote, and people have to rely on the caregivers, the caregivers are going to run out of their product and they will need a backup when this happens. She does not want the people to go back to the streets; the centers provide that backup to the caregivers and a safe and comfortable place.

Phillip Mier said there are people on each side. The State has already addressed it; it is now the City Council's job. Medical marijuana is used as a medicine and needs to be used as a medicine. The law is not their job, passing it is, laws need to be passed and followed. There are a lot of people who need this. He has a brain injury from a mugging several years ago and he needs the marijuana.

There were no others wanting to speak. Council President Coons thanked everyone for coming and being orderly and respectful. Another forum will be held on August 18<sup>th</sup>. Those that spoke at this forum are welcome to come and listen but she asked they not sign up to speak again.

### **Adjournment**

The meeting adjourned at 8:51 p.m.

Stephanie Tuin, MMC  
City Clerk