

Palmer Lake Town Council (Cont. from page 1)

der, mayor of Manitou Springs, to discuss the results of that city's recent decision to allow recreational marijuana sales. Nearly 30 residents of Palmer Lake addressed the council on the repeal, including Dino Salvatori, the owner of Palmer Lake Wellness, a medical marijuana dispensary in Palmer Lake, who spoke on behalf of Peaceful Palmer Lake. On another topic, the council heard a presentation by ProTerra Properties requesting an augmentation to the plan to provide water for their proposed residential development.

Manitou mayor sees benefits of marijuana sales

Legalization of recreational marijuana sales in Manitou Springs has brought more benefits than problems, according to Snyder, who has been that town's mayor since 2009. He described himself as having been on the fence con-

cerning such sales, but the majority of Manitou Springs' Town Council wanted to move ahead with the sales.

Manitou Springs voters approved Amendment 64, which legalized personal use, commercial cultivation, manufacture, and sale of marijuana in Colorado, by a margin of 2 to 1 in 2012, so Snyder felt the will of the voters was clear, although he acknowledged there were voters who would never accept recreational sales. Nonetheless, he wanted an advisory vote to be held on the issue, but could not achieve that.

The Manitou Springs Town Council formed a task force and held six public meetings over seven months to write regulations, finally deciding to allow two stores, only one of which has opened, and neither of which could be located in the town's historic downtown area. The stores would require two licenses: one for sales of medicinal marijuana and a second to sell recreational marijuana. The store currently open has not created congestion or parking issues, according to Snyder.

Snyder also noted that since legalization of recreational sales in Manitou Springs, marijuana-related arrests are down 45 percent, and the black market, which had been a problem in some parks, has disappeared. Snyder said he has seen little evidence of public consumption of marijuana, due in part to an education effort on the part of the retailers, who are required to give information about public consumption to each customer.

A 5 percent tax was added to existing taxes, for a 10.4 percent cumulative tax on sales. The sales raised \$223,000 in tax revenue in the first two months and one week of business. According to Snyder, the sales have not increased problems with transients, and have not led to a need for more police officers. Overall, impacts on other businesses have been positive, and Snyder felt there has not been any impact on quality of life in Manitou Springs.

Peaceful Palmer Lake requests repeal

Speaking for Peaceful Palmer Lake, local business owner Salvatori presented the case for repealing the ban on sales of recreational marijuana in Palmer Lake. Salvatori focused first on the issue of tax revenue, arguing the moral issue had already been decided by state law. Salvatori estimated that if recreational sales in Palmer Lake produced revenue similar to revenue in Manitou Springs, the result would be about \$3 million per year in additional tax revenue.

Salvatori proposed that the council vote to repeal the existing ban and vote to legalize sales beginning Jan. 1, 2015. Salvatori also proposed the creation of a five-member committee, with two members appointed by Chris Amensen, the author of the ballot question banning sales,

two members appointed by local freelance photographer and videographer Mitchell Davis, and one member appointed by the Town Council. The committee would review all citizen complaints.

Salvatori's current business is already licensed by the state to sell medical marijuana, wholesale marijuana to other businesses, and marijuana-infused edibles. Salvatori proposed a tax of 6 percent, to be paid directly to the town, be added to existing taxes. According to Salvatori, the advantages would be funds to modernize the Fire Department and elimination of any need to increase property taxes.

Citizen comments favor retaining ban

Following Salvatori's remarks, almost 30 others spoke, expressing a variety of opinions, but in most cases encouraging the council not to repeal the ban at the October meeting and to allow the voters to decide the issue in the upcoming election. Many of the comments did not address the request to repeal the ban directly, but instead pointed out why or why not marijuana should be consumed.

Chris Amensen argued that the council did not have the legal right to pre-empt the ballot question he had authored, and threatened to sue the council if it repealed the ban. The town's lawyer, Larry Gaddis, said the upcoming vote is advisory only, and the board has the freedom to repeal the ban if it decides that is in the best interest of the community. Gary Lockwood stated retail sales would hurt his property values, and that if the ban was repealed he would work to arrange for his neighborhood to secede from Palmer Lake and be annexed by Monument.

Karen Stuth argued that the current policies on drugs haven't worked, and regulation is preferable to prohibition. Jim Adams took the position that civil rights shouldn't be put to a vote, and alcohol sales create more problems in the community than recreational marijuana sales would do, since alcohol is consumed in bars and restaurants, leading to drunken driving, and marijuana is consumed privately. Judith Harrington encouraged everyone to make sure their voter registration was up to date with their correct address, since the election will be entirely by mail.

Mitchell Davis spoke in favor of repealing the ban, pointing out that 45 towns in Colorado, including tourist destinations like Crested Butte, Breckenridge, and Telluride, already have retail sales, so Palmer Lake would by no means be the first to allow them. He also pointed out that the ballot question prohibiting retail sales for three years would unwisely tie the hands of the council for too long a time.

Council votes to retain ban

Following the citizens' comments, Roads Trustee John Russell moved that the council deny the petition to repeal the ordinance. Police Trustee Paul Banta seconded the motion. In the discussion of the motion, Trustee Rich Kuehster expressed regrets that the town might have to forgo a benign way to increase tax revenue and that the ballot question forbidding sales would restrict future councils. Kuehster said the only way recreational sales would work was if a majority of voters supported them in the upcoming election.

Trustee Trish Flake asked that the potential for new jobs be considered in the council's vote and reminded the council that use of marijuana was a right protected by state law. Trustee Banta took the position that the first responsibility of the trustees was to represent the citizens. Trustee Jen Martin said that she would not vote against the will of the people, but added that since her vote against medical marijuana sales in 2012 she has been attacked, harassed, and bullied for that position, and that she now sees some benefits to regulated sales. She ended her remarks by asking for respect from the community and asked that she not be contacted on this subject in the future.

Parks and Recreation Trustee Cindy Allen reiterated Martin's remarks about harassment and said she would vote her conscience on this issue, despite pressure from some members of the community. The motion passed with Trustees Flake and Allen voting against it and Trustees Russell, Martin, Kuehster and Banta voting for it, allowing the current ban to remain in place.

ProTerra requests augmentation to water plan

Jerry Biggs of ProTerra Properties requested that the Town Council approve further planning to augment the water plan for his proposed development of an 82-acre site on Highway 105 west of the trailer park. The development would consist of 15.5-acre residential lots. The current water plan allows ProTerra to drill wells but prohibits any use of the water outside the residences. The



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