

CITY OF EVART
SPECIAL COUNCIL MEETING
FEBRUARY 22, 2019

The special council meeting called to order at 7:00 p.m. by Mayor Joyce.

Present: **Council – Mayor** – John Joyce, Dan Elliott, Ralph Carlson, Mayor Pro Tem Sandy Szeliga; **City Clerk** –Heather Pattee; **Interim City Manager**—Sarah Dvoracek, **Department of Public Works Director**—Mark Wilson

Absent: **NONE**

Guests: Karen Higgins

Brief Public Comment:

NONE

- A. 2019-01-Grower Class C Renewal NBB Holdings, LLC
- B. 2019-02-Grower Class C Renewal NBB Holdings, LLC
- C. 2019-03 Grower Class C Renewal NBB Holdings, LLC
- D. 2019-01-Processor Renewal NBB Holdings, LLC
- E. 2019-01-Provisiosing Center Renewal NBB Holdings, LLC

Discussion was held. **Moved by Elliott, seconded by Joyce** to formally issue NBB Holdings, LLC a Notice of Intent to Deny due to lack of physical location for the marihuana facilities listed in application numbers: 2019-01-Grower Class C Renewal, 2019-02-Grower Class C Renewal, 2019-03 Grower Class C Renewal, 2019-01-Processor Renewal, 2019-01-Provisiosing Center Renewal; also to require NBB Holdings, LLC to obtain a signed purchased agreement for qualified property within 30 days of receiving this notice, if they fail to obtain a signed purchase agreement for property within 30 days of receiving this notice, the city will deny all applications listed above A. – E. and only refund a portion of their application fee after legal and city staff costs are deducted.

Roll Call Vote:

Ayes: Szeliga, Elliott, Joyce, Carlson

Nays: Hildebrand

Motion passed 4-1.

- F. 2019-01-Secure Transporter (NEW) NBB Holdings, LLC
 - 1. Application was withdrawn on 02/21/2019 (see letter)
 - 2. Requesting refund of \$5,000 application fee

Discussion was held. **Moved by Hildebrand**, to not refund any of the secure transporter application fee to NBB Holdings, LLC. Without a second, the motion was not considered.

Discussion was held. **Moved by Joyce, seconded by Elliott**, accepted the letter from NBB Holdings, LLC to withdraw their secure transporter license application and to refund a portion of the \$5000.00 application fee of \$2,525.00 to NBB Holdings, LLC and apply the \$2,475 to the city's legal costs acquired.

Roll Call:

Ayes: Elliott, Joyce, Carlson

Nays: Hildebrand, Szeliga

Motion Passed 4-1.

G. Request to hire Varnum to assist with revisions of the current medical marihuana ordinance and applications

Discussion was held. Moved by Hildebrand, seconded by Szeliga, to hire Varnum to assist with revisions of the current medical marihuana ordinance and medical marihuana facilities application.

Motion passed.

Citizen's Comments

NONE

Moved by Joyce, seconded by Carlson to adjourn at 7:45 pm.

Respectfully Submitted,

Heather Pattee

Signature: Heather Pattee

Date: 3-6-19