

Outdoor Rec / Local

City Council passes updated marijuana ordinance

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This Tuesday's City Council meeting was called to Order by Mayor Mosier followed by the Pledge of Allegiance and Invocation led by Councilor Downing. City Recorder Luke Yeaton called roll to which all Councilors answered with City Manager Mike Kee and Public Works Director Michelle Owen also being present. Mayor Mosier began the meeting addressing the first item on the agenda.

Consent Agenda

A. The Big Deal Grant: Geiser Grand Hotel. In May the Historic District Design Review Committee voted to approve funds in the amount of \$500.00 for replacement of awnings on the northernmost exterior windows. In July Geiser Grand Hotel owner Barbara Sidway, as required to receive grant money, sent a letter to City Public Works Director Michelle Owen stating the work had been completed by local company Ne-Hi Enterprises. Attached was the bill describing work done and charges for the work. Sidway also attached a photograph showing the replaced awnings. The City budgets money to be used in this way each year. Funds are currently available to be utilized by new and existing business owners in the downtown core.

B. Minutes from meeting of August 11, 2015. Mayor Mosier acknowledged no changes needing to be made to the minutes.

C. Acceptance of FFA Airport Improvement Grants.

Council previously approved an airport construction project in the amount of \$158,225. The project will be 90% funded by an FFA entitlement fund grant and includes apron design plans. The grant awarded is for \$150,000 the maximum allowed. This project is expected to be completed by mid-winter. Councilor Downing motioned to approve the acceptance of the consent agenda with a second by Councilor Thomas. Council voted to unanimously approve the agenda.

Citizens' Participation Mayor Mosier next called for anyone that was there to address any matter not already on the agenda.

Whit Deschner stepped forward to address Council. "I run the Salt Lick Contest and am here looking for judges. I just had this great idea that I could use the City Council as judges. I'd like you to consider being judges for the Salt Lick Contest and I appreciate your participation," he said.

City Manager Mike Kee asked, "Can you tell us a date and time?"

Deschner replied, "It is September 19 and starts at 6 but I would need you there at 5."

With a smile Mayor Mosier said, "I'll tell you right now, I'll do it." Several other Councilors agreed to be judges as well.

"I figured you all are impartial," Deschner said.

Kee advised Council members, "As long as you don't address City issues

you can be together."

Deschner told Council he would be in touch and thanked them all for their willingness to help.

Third Reading of Ordinance #3342 Prohibiting Medical and Recreational Processors, Dispensaries, Producers, Wholesalers, and Retailers Within Baker City.

"This is the third reading tonight and if this passes it will take effect," Mosier advised.

Giving some background, Kee then added, "There have been no changes from the first and second reading of this ordinance, the Council has a lengthy history of addressing this issue dating back almost two years."

Before Kee read the Ordinance for the third time Mayor Mosier asked if anyone wished to step forward to speak to the issue.

Blue Christian Ontiveros-Winterhawk, formerly of Baker City and currently of Portland, stepped forward saying, "I'd like to maybe help change this."

Ontiveros-Winterhawk asked Council to reconsider their initiative to prohibit marijuana activities or at least hold off on a third reading and vote for at least another month.

Ontiveros-Winterhawk, his business partners and investors, are now looking to introduce a marijuana production warehouse with no outside sales or distribution in Baker City.

"Having a warehouse would be much less invasive," he said.

Councilor Langrell asked, "Do you have any idea how many people this company would employ?"

Ontiveros-Winterhawk believes that number to be approximately a dozen or so.

He said, "We of course want to hire all of our regular staff locally, and any of the specialty or degree positions we would try to source locally first. We are looking to spend \$100,000 to \$150,000 on the warehouse and would hire local for all renovations. We are looking to keep all of our money here, it's beneficial."

Touting this venture as a very quiet business in nature he explained it as just a warehouse with about 2,000 plants, non-descript away from residential homes and children in an industrial zone and very secure.

"Our security is awesome. Would be one of the most secure buildings in the city. We would even be willing to give local law enforcement an office in the building," he said.

Chief Wyn Lohner who was present at the meeting audibly said, "No," and shook his head to that comment.

"We're just business people. We will be regulated and expect to abide by the same rules as any other business in Baker City," Ontiveros-Winterhawk said.

Mosier asked "So you said you'd like to purchase a warehouse, where are you? I'm not clear on where you are in your business plan—if this is just an idea with a lot of brain power around it, if

you have money?"

Ontiveros-Winterhawk told her that he and his investors are ready to go. They are just waiting on him to come back to them with information from the night's meeting.

Mayor Mosier told Ontiveros-Winterhawk, "Council has been working on what to do about legalized marijuana, recreational and medical for close to two years. Council has taken a lot of citizen comment. We've heard from the medical community. We've heard from addicts, former addicts, the Health Department, law enforcement, school officials, average citizens, and spent a lot of time on the issue. Time and again the Council, by majority not unanimously, has voted to wait. I for one am not persuaded to change course. Let me tell you why. One reason is the public comment knowing that this county rejected legalization by 57%. I'm a public figure and public sentiment weighs pretty heavily."

Mosier also cited the roller coaster in the legislature as another cause for concern, rules keep changing nothing is set in stone and there are still a lot of lingering questions regarding the entire process including how regulations will be enforced once set.

She said, "It's just way too early in the process for me to think our little community can absorb the responsibility of doing this right without state back up."

Mosier spoke to seeing a job posting with OLCC, who is in charge of overseeing compliance of regulations, for a compliance officer based in Bend but being in charge of all of eastern Oregon and in her opinion that is not sufficient.

She said, "You won't have my vote until we've seen what comes out of State resources for implementation of this 'new world' and I've seen how it affects other small communities. Then we can have some actual data that would tell us whether or not it will be a good thing for Baker and whether we would have the support to regulate it."

Ontiveros-Winterhawk told Mosier, "I completely understand. I truly do. The reason I'm here now so early in the game is because we want to begin laying the infrastructure for what is to come. I personally would love to be part of a regulatory committee here in town. The truth of it is it's coming sooner rather than later."

Councilor Langrell voiced his opinion that he felt a huge disservice to the community was being done in regard to jobs that could be had by this business—the City was missing a huge opportunity.

Kee read the ordinance by title only for the third and final time. No further discussion of the issue was had. Downing moved to approve the third and final reading of the ordinance with a second by Councilor Merrill. A 5:2 Council Vote was made with Downing, Augenfeld, Abell, Merrill and Mosier for the passing of the ordinance and Councilor



Kerry McQuiston / The Baker County Press
Baker City Police Chief Wyn Lohner.



Kerry McQuiston / The Baker County Press
Blue Christian Ontiveros-Winterhawk

cilors Langrell and Thomas against.

With the passing of this ordinance, while it is still legal to possess and use marijuana, it is not legal to sell or distribute it within the city limits of Baker City.

The County recently passed a similar ordinance making it illegal to sell or distribute marijuana within the county as well. This ordinance takes effect immediately because of the clause declaring an emergency.

Sam-O-Swim Center Committee Update.

Chairman Andrew Bryan of the newly formed committee was present at the Council meeting.

He informed Council the committee has met several times to discuss proposed improvements to the community pool.

Initially the committee suggested trying to get all projects completed this year with the understanding that money may need to be reallocated or an interfund loan obtained to achieve this.

Consensus was that may not be feasible.

Replacement of the pool heating system may have to wait until next year.

The Committee has brought before the council a request for approval to spend budgeted money on resurfacing the pool and replacing the sand traps in the facility.

The Committee felt exploring crowd source funding as a viable option to not only raise money for shower replacement but to unite the swimming community however, at a committee meeting the night before it was decided that that option may be challenging but was still an option.

There is hope that there will be savings in the projects to replace the showers.

Councilor Abell motioned for approval of this plan allowing Public works

Owen to appropriate the money in the budget for these projects allowing a small leeway in spending without the need to readress council unless estimates go over the agreed upon amount significantly.

A second to the motion was made by Councilor Merrill. Council voted unanimously to approve.

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Ladies golf and bridge results

The August 5th golf winners, throw out 4 holes are: 1st Flight— 1st Place, Judy Karsten; 2nd Place, Jennifer Godwin; 2nd Flight—Tie for 1st Place, Karen Wollard; Kathy Hopkins; Virginia Babski; 3rd Flight, 1st Roxanne McAdams; Birdies: Kinda Vore and Kathy Hopkins. Bridge winners are 1st Marlene Cross; 2nd Shannon Sullivan and 3rd Judy Karstens.

The August 12th Bridge winners are: 1st Dianne Ellingson; 2nd Della Steele, and 3rd Barbara Prowell. 9-week winners: are 1st Della Steele, 2nd Marlene Cross, and 3rd Zena Edwards. August 12th's golf winners are: 1st Flight Judy Karstens; 2nd Flight Karen Wollard.

The August 19 golf winners are: 1st Flight—1st Judy Karstens, 2nd tie: Linda Vore-Jennifer Godwin; 2nd Flight—1st Karen Wollard. Bridge winners on August 19 are: 1st Martha Cassidy; 2nd Shannon Sullivan; and 3rd tie Lavelle Woodcock and Carol Stevens.

Hunting seasons not delayed

A request to the Governor by Baker County Commissioners to delay, but not cancel upcoming hunting seasons due to extreme fire conditions, was not granted as the Oregon Department of Fish and Wildlife's Board of Commissioners pressed to maintain the seasons as they stood.

Statewide deer and elk archery seasons will open as scheduled on Saturday, Aug. 29.

"The archery season is starting soon and we hope bowhunters have a fun, safe and successful experience," says Ron Anglin, ODFW wildlife division administrator. "Because of the extreme fire danger, hunters should be aware that there are fire restrictions throughout Oregon and some local closures of public land associated with active fires and firefighting

Hunters need to know what those fire restrictions and closures are before they go afield. The InciWeb website has information on fires and closures due to firefiring, plus maps of closure areas in some cases. Currently, there are active fires and related closures on the Malheur, Rogue-River-Siskiyou, Umatilla, Umpqua, and Wallowa-Whitman national forests. Closures are also in effect on some BLM lands where there is fire activity.

All state, federal and industrial forests are also under public use restrictions to prevent more fires. Restrictions vary by area but some key rules to follow are:

- No smoking except in vehicles on improved roads, in boats or at designated locations.
- No open fires such as campfires, charcoal fires cooking fires except in designated locations. (Currently campfires are prohibited, even in designated fire pits, in all Oregon state parks, Tillamook County and in some national forests, too.) Portable cooking stoves using liquefied or bottled fuels are allowed.
- No off-roading by motor vehicles, including motorcycles and all-terrain vehicles. Vehicles are only allowed on improved roads. Keep your vehicle off vegetation, it could start a fire
- No exploding targets or tracer ammunition.
- Carry firefighting tools (one gallon of water or 2.5 pound fire extinguisher and one shovel at least 26 inches long with an 8-inch blade) when travelling in a motor vehicle in timber, brush or grass.

"We currently have no plans to close access to Oregon state forestlands," says Oregon Department of Forestry's Tony Andersen. "But we ask that hunters and everyone in the outdoors this time of year follow fire restrictions and be vigilant about preventing any new fires.

"Anyone visiting a national forest, grassland, or BLM land should take every precaution to prevent human-caused fires," says Patrick Lair with the Ochoco National Forest. "This includes taking care not to discharge firearms into dry brush and pine needles or driving over vegetation. Also, always maintain a fire watch for several hours if you think there could be a potential spark."

Private land closures

Due to extreme fire danger and few firefighting resources left, many private forestlands are currently closed to public access, including hunting.

For a partial list of these closures, visit ODF's web site at Oregon.gov/odf under Wildfires /Forest Restrictions & Closures / Landowner / Corporate Closure Chart. This chart is updated frequently and also contains a phone number to get the latest information about restrictions directly from the timber company. If the land where you hunt is not represented, call the landowner directly for access information.

"Private landowners will reopen their land when conditions significantly improve and it is safe to do so," says Mike Dykzeul, director of forest protection at the Oregon Forest Industries Council.

Public Notice:
The private lands owned by members of the Jones/Racey family making up the Devil's Canyon Ranch in the Clark's Creek area of Bridgeport, the lands owned by Ann Racey of Hereford, and the lands owned by the same family in Logtown near Mormon Basin are closed to hunting this year due to a combination of the extreme fire season and lack of federal management culminating in a significant dry fuel load on the public lands touching our fence lines.