

The meeting was called to order at 7:00 p.m. by Chairman Knapp. The meeting was opened with the Pledge of Allegiance.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Leistner, Siebenman, Holloway, Scheer, Austermann and Kiefer.

Also in attendance was Mayor Coffey, City Administrator Craig Sabo and City Attorney Kathy Butler.

A petition from Jason Strotheide, representing Noah's Arc Foundation - Missouri, for a Special Use Permit for a greenhouse to be located at 18675 U.S. Highway 66.

Notice of the Public Hearing was published in The Countian on Tuesday, October 13, 2015 and in The Current on Wednesday, October 14, 2015.

Dr. Strotheide stated that his organization chose Eureka due to location. He stated that news organizations were alerted about the petition because he wanted the project to have full transparency. He stated the proposed location was ideal as the property they would be leasing is next to a prison which could help for security purposes. He said his organization would be growing and cultivating industrial hemp which would produce no high if used as it contained less than 0.3% THC, the component that makes it psychoactive. He stated the hemp oil product that would be grown at this location contained CBD and could be used for treating patients with Intractable Epilepsy. He stated there is a need for the hemp oil, and currently, it may only be obtained in other states. He stated the Noah's Arc Foundation has met all the requirements by the State of Missouri to process hemp oil and it will be the first operation allowed in Missouri and would like to become the standard bearer for all future facilities. He stated that the Special Use Permit would only allow them to grow industrial hemp and there would be no dispensing at this location and the 30' x 48' greenhouse would be a commercial grade structure similar to those used by Monsanto. He stated that the security parameters that would be implemented would make breaching the facility virtually impossible. Dr. Strotheide stated that they would be erecting a sixty (60) inch high fence topped with wire and have locking mechanisms and the facility would also be monitored 24 hours a day via high definition cameras. He said there would be an alarm system involved that would notify authorities and team members immediately if the alarm is set off. He stated only authorized personnel would have access to the facility and all areas would be locked at all times. Dr. Strotheide stated that there would also be signs posted on the property stating that only authorized personnel may enter the facility. He said that if the demand for the CBD oil was to exceed what they were authorized to produce, they would return to the City for further approval and would comply with all regulations.

Chairman Knapp inquired as to what type and how high the fencing was to be on the property as it was not depicted on the site plan that was submitted to the City.

Dr. Strotheide stated it would be a five (5) foot high chainlink fence topped with razor wire.

Mr. Scheer inquired as to what type of doctor Dr. Strotheide was.

Dr. Strotheide stated that he was a chiropractor.

Mr. Scheer inquired as to the process of extracting the oil from the hemp and if it would be available by prescription only.

Dr. Strotheide stated that the extraction of the oil would take place at a separate facility which was not in Eureka. He stated that during the extraction process everything but the stem would be used and it would be placed in a rotary distiller, placed in a vacuum oven and then bottled. He stated that it would be dispensed at three (3) locations in Missouri which were St. Louis, Kansas City and Springfield which would allow all Missourians to have access to the product, if needed, within a two (2) to three (3) hour drive. He stated in order to receive the product a patient would need to be diagnosed with Intractable Epilepsy, receive certification of such from a neurologist, submit a registration form and have the patient's records reviewed by the Department of Health. He stated once the process was completed and approved the patient would receive an authorized Oil Care Card.

Chairman Knapp inquired as to the procedure in place for transporting the product.

Dr. Strotheide stated that each truck would have a manifest, the quantity allowed to be transported would be limited and there must be two (2) individuals inside the vehicle.

Mr. Holloway inquired as to if the plant may be used for other purposes once the oil has been extracted.

Dr. Strotheide stated that there were other uses for the hemp, but they were required to dispose of the fiber.

Mr. Holloway inquired as to if the disposing of the remains would be at a different facility.

Dr. Strotheide stated that it would.

Mr. Smith inquired as to how the disposing would be performed.

Dr. Strotheide stated that the State has not issued any definitive rule as of yet for disposing of the remains.

Alderman Sir inquired as to if Dr. Strotheide stated that the State did not know at this juncture as to the requirements for disposing of the remains of the plants.

Dr. Strotheide stated that was correct.

Mr. Kiefer inquired as to if there would be additional fencing other than the one presently at the location.

Dr. Strotheide stated that they would adding a five (5) foot high fence around the greenhouse.

Mr. Kiefer inquired as to what portion of the property they would be using and if others used the gravel road would they have access to the greenhouse.

Dr. Strotheide stated that they would be leasing approximately three (3) acres and others would be able to utilize the gravel road, but the greenhouse would be contained within the five (5) foot fence and not be accessible.

Mr. Scheer inquired as to if the product would be priced fairly so that people that needed it would have access to it.

Dr. Strotheide stated that it would be and they also plan to offer a subsidy for any patient that did not have the money as it was not covered by insurance. He stated that his organization was a not-for-profit organization.

Mr. Holloway inquired as to if they were concerned someone may break into the facility and why was all the high-tech security necessary.

Dr. Strotheide stated that there were stringent security requirements by the State to allow one to grow industrial hemp.

Mr. Kiefer inquired as to if the facility would be manned or monitored via video.

Dr. Strotheide stated it would be monitored via video and that the cameras would be inside and outside the facility and would detect any motion.

Ms. Leistner stated that Epilepsy was in her family and that a relative may at some time be diagnosed with Intractable Epilepsy.

Dr. Strotheide stated that the chances of a person with Epilepsy being diagnosed with Intractable Epilepsy is twenty (20) to forty (40) percent. He stated that the treatment could be described as a "last hope" medication and patients have nothing to lose by trying it.

Ms. Leistner inquired as to if the facility is breached if anyone would be able to obtain anything to sell for profit.

Dr. Strotheide stated that they would not.

Aldermen Sir inquired as to if the product grown at the facility would supply all three (3) facilities in Missouri.

Dr. Strotheide stated that it would.

Mr. Scheer inquired as to the number of employees.

Dr. Strotheide stated that they would have four (4) to five (5).

Mr. Scheer inquired as to if they would be using the existing residence.

Dr. Strotheide stated that they have the right to purchase the residence if needed in the future.

Ms. Leistner inquired as to if Dr. Strotheide had provided the City with a copy of the permit that was issued by the State.

Dr. Strotheide stated that he did and he would submit copies if anyone wanted to see it.

Mr. Siebenman inquired as to how Dr. Strotheide would know how many plants to produce to help the patients that sought treatment.

Dr. Strotheide stated that the number of required plants would be calculated for each patient and they did not want to overproduce.

Mr. Austermann inquired as to how it is proven that it works for a patient.

Dr. Strotheide stated that the success depends on the individual patient.

Speaking in support of the petition was Ms. Debbie Clark of Kirkwood, Missouri. She stated that the product has been used by two (2) children that were placed in hospice and that they are alive today because of the CBD oil. She stated that they must travel to obtain the oil as it is not available in Missouri and, if approved, they will be inundated with patients wanting to obtain the oil. She stated that the registration forms that are issued are only good for a year.

Speaking in opposition to the petition was Mr. Gerald Pemberton. Mr. Pemberton stated that he was a congregant of the Baptist Church located next to the subject property and that he did not understand all the security measures that were being implemented if the product was safe. He inquired how far off of US Highway 66 the greenhouse would be located.

Chairman Knapp stated that it would be two hundred-forty (240) feet from the highway.

Mr. Pemberton inquired as to if there will be a gate at the entrance to the property.

Chairman Knapp stated that the gate would be located at the greenhouse.

Speaking in opposition to the petition was Mr. Nelson Devenport of 94 Forest Hills. He stated that he had mixed feelings about the petition. He stated that he had just found out about the petition last Friday and wished the City would be more transparent about the project. He requested that the City have another Public Hearing so that the community could ask more questions. He stated that he also had concerns about expansion plans for the facility if the State would allow cannabis for other medicinal or recreational uses in the future.

Ms. Leistner stated that the City notified the media so that residents could be made aware of the project.

Mr. Devenport stated that was true, but he felt it was very short notice.

There being no further matters for discussion, the public hearing was adjourned at 8:05 p.m.

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary

The meeting was called to order at 8:05 p.m. by Chairman Knapp.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Leistner, Siebenman, Austermann, Scheer, Holloway and Kiefer.

Also in attendance was Mayor Coffey, City Administrator Craig Sabo and City Attorney Kathy Butler.

On motion by Alderman Sir, seconded by Mr. Smith and passed with 7 "YES" votes and 2 "ABSTENTIONS" (cast by members Austermann and Scheer), the Minutes of October 14, 2015 were approved with a correction in Item A in the regular meeting replacing Mr. Scheer with Mr. Smith in seconding the motion.

**GUESTS:**

There were no guests present who wished to address the Commission.

**OLD BUSINESS:**

There was no old business to be discussed.

**NEW BUSINESS:**

At 8:10 p.m., on motion by Ms. Leistner, seconded by Mr. Austermann and unanimously passed, the Commission took a five (5) minute break so that Ms. Leistner could consult with the City Attorney regarding the matter under consideration by the Commission and the meeting reconvened at 8:15 p.m.

Consideration of a petition from Jason Strotheide, representing Noah's Arc Foundation - Missouri, for a Special Use Permit for a greenhouse to be located at 18675 U.S. Highway 66.

Chairman Knapp stated that he had mixed emotions about the petition. He stated that he was not educated on the product, but it appeared from the site plan the facility would be secure and there would be nothing to really steal if it was breached. He stated that his daughter has a seizure disorder and it is nice knowing there may be something available to help her, adding that the City can regulate the facility.

Chairman Knapp asked City Attorney Kathy Butler as to how the City could regulate the operation. City Attorney Butler stated if they wished to enlarge the operation they would have to amend the Special Use Permit. She stated that the Commission can place restrictions on the facility that would protect the City such as what type of plants may be grown at the facility or restricting any enlargement of the facility. She stated that if in the future the State voted to make marijuana legal in Missouri, the City would not be able to place any regulations on it at that time.

Alderman Sir stated that the State now is regulating the security of the facility and that if they wished to change anything about the operation of the facility, they would have to amend their Special Use Permit.

Mr. Scheer stated that the location for the facility is perfect to him and it would be regulated by the City and the State.

Alderman Sir stated that if security was a problem, Police Chief Mike Wiegand would have stated his opposition to the project.

Chairman Knapp went over the six (6) points of factual determination as required in Municipal Code Section 23-182(d).

The consensus was unanimously favorable on all points.

On motion by Mr. Scheer, seconded by Mr. Smith and passed with eight (8) "YES" votes and one (1) "NO" vote cast by Ms. Leistner (who stated that she wasn't sure from the research that the benefits of the product outweigh the negatives associated with cannabis), approval was recommended for a petition from Jason Strotheide, representing Noah's Arc Foundation - Missouri,

for a Special Use Permit for a greenhouse to be located at 18675 U.S. Highway 66 with the following conditions: (1) If the State of Missouri revokes their permit to operate the facility, the City should rescind the Special Use Permit; (2) Security measures for the facility must be approved by the State; (3) Construction of the greenhouse must commence within six (6) months from the date of approval; (4) The fencing must be five (5) feet high coated chain-link with razor wire; (5) No expansion to the operation or plant materials without authority from the City.

**ADDITIONAL BUSINESS:**

Chairman Knapp inquired as to if the Commission members were willing to meet November 25th which is the day before Thanksgiving. The consensus of the Commission was to not meet that night and that if anything urgent needed to be addressed before the next scheduled meeting, a special meeting could be held.

There being no further matters for discussion, on motion by Alderman Sir, seconded by Ms. Leistner and unanimously passed, the meeting was adjourned at 8:25 p.m.

**UPCOMING MEETINGS:**

- December 9, 2015
- December 23, 2015

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary