

June 5, 2023

STATE OF ALABAMA,  
LIMESTONE COUNTY,  
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in a special session at the Athens Municipal Building, 200 Hobbs Street West, Athens, Alabama, on June 5, 2023 at 10:00 a.m. The meeting was called to order by Councilman Harold Wales, President of the City Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Harold Wales, James E. Lucas, Dana Henry and Wayne Harper. Annette Barnes-Threet, City Clerk, was present and recorded the minutes of the meeting. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

Council President Wales addressed the audience by stating that the pending ordinance to rescind the cannabis ordinance that was passed in November, 2022 would require a majority vote by the City Council. He then opened the floor for public comment.

Joe Teal, 22219 Diamond Pointe Drive, Athens, addressed the City Council concerning the issue and stated that he and his fellow faith brothers feel as though they have no further information to provide. Mr. Teal stated that the medical community does not support the cannabis ordinance and asked them to consider the harm that it could have on the community.

Wayne Reynolds, 14114 Muirfield Drive, Athens, addressed the City Council and noted that he could see the progression of medical marijuana to recreational marijuana. Mr. Reynolds remarked that it will impact the poverty community the most and that the City Council was ill-advised regarding the subject.

Ruby McCartney, 22235 Pepper Road, Athens, addressed the City Council and stated that the bill was authored by doctors and pharmacists. Ms. McCartney remarked that she had lost confidence in the Council and that they should do their due diligence in obtaining information regarding any matter brought before them. She feels as though they are being pressured by a special interest group to rescind the cannabis ordinance.

Mayan and Evanie Patel, 4710 Colony Place, Birmingham, addressed the City Council representing GP6 Wellness, a business that has applied for a dispensary license with a proposed location in Athens. Mr. Patel is a pharmacist and gave the Council a background of the program. He noted that patients must fail conventional therapy in order to receive this type of medication. Mrs. Patel is a local attorney and stated that the regulations are very stern and the decision made by the City Council will affect their application. Mr. and Mrs. Patel asked the City Council to uphold their original decision for the cannabis ordinance that was passed in November, 2022.

Kelly Range, 303 Brookwood Drive, Athens, addressed the City Council and stated that medical cannabis is not a front for recreational cannabis. Mr. Range noted that the people that have invested in this and worked with the medical community should be able to proceed. He believes that rescinding the ordinance would be a mistake.

Andrew McCartney, 26105 Apple Orchard Lane, Athens, addressed the City Council concerning the issue and provided information regarding the process for proposed cannabis dispensaries. Mr. McCartney noted that the physicians issuing prescriptions would be required to have special training and certification before prescribing any medical cannabis. He also noted that cannabis can stay in someone's system for days but the effects can last from 2 to 12 hours, depending on variables such as age, weight, gender, etc. Mr. McCartney doesn't believe that the Council should rescind the ordinance based on a handful of individuals.

Dr. Joe Cannon, 221 Briarwood Circle, Athens, addressed the City Council and remarked that he has researched medical marijuana. Dr. Cannon stated that he has witnessed several people that could benefit from the drug, especially those who suffer from seizures. He noted that a required test must be taken and passed in order to prescribe cannabis and believes it will be very well regulated through the State of Alabama.

**Previously, at the City Council's May 22, 2023 meeting, Councilman Harper made a motion to adopt the following ordinance. The motion was for "Introduction Only," and so it was due to be taken up at this June 5<sup>th</sup> meeting:**

**ORDINANCE NUMBER 2023 - \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 2022-2245 CONCERNING THE OPERATION OF MEDICAL CANNABIS DISPENSING SITES**

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**WHEREAS**, the City Council previously adopted Ordinance No. 2022-2245, which, pursuant to § 20-2A-51 of the *Code of Alabama*, authorized the operation of dispensing sites for dispensing and selling medical cannabis within the corporate limits of the City of Athens, Alabama; and

**WHEREAS**, after due consideration, the City Council has reconsidered that decision, and it desires to repeal Ordinance No. 2022-2245.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA**, while in special called session on June 5, 2023, at 10:00a.m., as follows:

**Section 1.** Ordinance No. 2022-2245 is hereby repealed.

**Section 2.** The operation of dispensing sites within the corporate limits of the City of Athens, Alabama is not authorized pursuant to § 20-2A-51 of the *Code of Alabama*. “Dispensing sites” shall mean sites operated for dispensing and selling medical cannabis by a dispensary licensee or an integrated facility licensee in accordance with Alabama Act 2021-450, as adopted and as amended.

**Section 3.** If any provision of this ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

**Section 4.** The provisions of this Ordinance shall be included and incorporated in the *Code of Ordinances of the City of Athens* as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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HAROLD G. WALES, CITY COUNCIL PRESIDENT

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WILLIAM R. MARKS, MAYOR

**ATTEST:**

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ANNETTE BARNES-THREET, CITY CLERK

President Wales asked if there was a second to Councilman Harper’s motion to adopt the ordinance. Seeing no response and without a second to Councilman Harper’s motion, Council President Wales temporarily relinquished his position as chairperson of the meeting to Councilwoman Henry. Then, Councilman Wales seconded the motion.

Council President Pro Tem Henry asked if there was any discussion before the vote and hearing none, she asked for a roll call vote.

Councilmembers Wales and Harper voted yea, in favor of the motion. Council President Pro Tem Henry and Councilmember Lucas voted no, against the motion. Councilman Seibert abstained from the vote. The motion failed.

Council President Pro Tem Henry relinquished her position as the chairperson of the meeting back to Councilman Wales.

Council President Wales made a statement regarding his position on the motion to rescind the ordinance, stating that he understood both sides but felt like the City Council was making a mistake allowing cannabis dispensaries in the city of Athens.

Councilman Harper remarked that he believes that a public hearing should have been held originally and that the Council acted hastily because they were under the impression that there was a timeframe to adopt the ordinance. Mr. Harper stated that marijuana is a gateway drug and that he hopes that the City of Athens will be careful when zoning the areas for the cannabis dispensaries.

Wayne Reynolds asked to speak to the City Council again and noted that his concern is the failure for the City Council to understand or properly be advised of the ordinance. He stated that the Council needs to have public hearings before taking legal advice and be more conscientious before taking any action in the future.

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There being no further business to come before the meeting, Council President Wales duly and properly adjourned the meeting.

/s/ Harold Wales  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes  
CITY CLERK