

The City Council for the City of Sisseton met in regular session on Monday, September 13, 2021 at 6:30 p.m.

Members present: Mayor Terry Jaspers, Alderwomen Appel & Randolph, Aldermen, German, Just, Solberg and Stapleton.

Zoning Members present: Cory Deutsch, Gary Halseide, Larry Peterson, Samantha Stickland and Mike Tchida

Others Present: Erin Cameron, Amber Kemnitz, Ellen Lekness, Jim Croymans, Myron Doud, Gary Spencer, Jason Deutsch, Rick Oien, Daniel Nickolauson, Whitney Renville, Terry Sutton, David Staub, Dustina Gill, Collin Hippen, Myrna Thompson, Dionne Crawford, Russell Smith and others.

Call to Order: Mayor Jaspers called the meeting to order at 6:30 p.m.

Agenda: Solberg moved and German seconded to approve agenda as presented. All voted aye.

Minutes: Stapleton moved and Solberg seconded to approve the August 9 & 30, 2021 minutes. All voted aye.

Bills Payable: Just moved and Appel seconded to approve the bills payable as presented. All voted aye.

Liquor: Lekness presented the August 2021 liquor report.

Police: Croymans reported on police department.

Amended SRO Agreement: Just moved and Solberg seconded to authorize Mayor Jaspers to sign amended SRO Agreement with Sisseton School District to reflect changes to time frame and reimbursement amount due to change in law enforcement school for SRO. All voted aye.

Patrol Officer Promotion: Stapleton moved and Solberg seconded to approve promotion of Officer Mishler to Corporal effective October 1, 2021 at a wage of \$21.15 per hour. All voted aye.

Street/Safety: Doud reported for street department.

Street Department Wage Adjustment: Just moved and Solberg seconded to approve increase of \$0.15 per hour for Richard Oien for receiving a SD commercial applicator license. All voted aye.

Hire Street Department Employee: Stapleton moved and Randolph seconded to approve hiring TJ (Wellington) Abraham Jr. as Street Department Laborers at a starting wage of \$15.90 per hour. All voted aye.

Authorize Solicitation of Bids for Skid-Steer Loader: Solberg moved and Just seconded to authorize solicitation of bids for a skid-steer. All voted aye.

Authorize Solicitation of Bids for a Garbage Truck: Just moved and Appel seconded to authorize solicitation of bids for a garbage truck. All voted aye.

Water/Sewer: Spencer reported for water/sewer departments. Council discussed issue with water leak at 3 Bean Coffee.

Conditional Use Public Hearing: At 7:00 p.m. a public hearing was held for a conditional use of Lots 19-24 in Block 61 submitted by Dustina Gill / Nis'to Inc. The conditional use permit would allow the property to be used as an office for a nonprofit organization in a General Residential District. Dustina Gill addressed Council regarding plans for the property. There was no public input. Solberg moved and Appel seconded to approve the Conditional Use Permit 2021-29 submitted by Dustina Gill / Nis'to Inc.. Voting aye were, Appel, Just, Stapleton, Solberg, Randolph, German and Jaspers. Motion carried.

Building Permits: Just moved and Randolph seconded to approve the following building permits: 2021-26 Westside School, 2021-27 N.Renville, 2021-28 Coteau Valley FCU, 2021-30 B.Heinecke. All voted aye.

Finance Report: Stapleton moved and Just seconded to approve the August 2021 finance report. All voted aye.

Public Comment: None

Travel: No action by Council.

Visitors: Tribal Secretary, Myrna Thompson was present to discuss opening of Homeless Shelter for the 2021-2022 operating season. Since operations will be unchanged, no new application is required. Homeless Shelter has authorization to operate 24 hours per day from November 1, 2021 – April 30, 2022.

Authorize Mayor to sign SD DOT Financial Assistance Agreement: Just moved and Solberg seconded to authorize Mayor Jaspers to sign Financial Assistance Agreement with the SD Department of Transportation for Airport Project 3-46-0051-17-2021. All voted aye.

Maguire Iron Pay Request #1: Stapleton moved and German seconded to approve pay request #1 from Maguire Iron in the amount of \$86,640.00 for the Water Storage Painting Project. All voted aye.

Information & Discussion: Regular October City Council meeting will be held on Tuesday, October 12, 2021 at 6:30 p.m. Property inspections have been conducted by Code Enforcement Specialists as well as notification to property owners to address violations. Mayor Jaspers commended Gary Spencer and Michael Sutton for receiving 2020 Drinking Water Certificates as

well as receiving the Secretary's Award for the 20th consecutive year for the City of Sisseton for Drinking Water Excellence.

7:30 p.m. Medical Marijuana Facility Zoning Public Hearing

Convene as City Council & Planning Commission: Solberg moved and Appel seconded to convene jointly as City Council and Planning Commission to conduct a Public Hearing to consider ordinance 675.

Attorney Cameron explained changes to the zoning ordinance to incorporate zoning districts that will allow the different types of medical marijuana facilities. Council discussed concerns with unlimited number of medical marijuana dispensaries. Alderwoman Appel and Solberg suggested an amendment to the ordinance to allow a maximum of two dispensaries. There was no public input.

Planning Commission Amendment to Ordinance 675: Peterson moved and Deutsch seconded to recommend amendment of ordinance 675 to limit the number of medical marijuana dispensaries to a maximum of two. Upon roll call vote, voting aye were Deutsch, Halseide, Peterson, Stickland and Tchida. Veflin was absent. Motion carried.

Planning Commission Recommendation to approve Ordinance 675 with amendment: Deutsch moved and Peterson seconded to pass a resolution recommending approval of Ordinance 675 with amendment. Upon roll call vote, voting aye were Deutsch, Halseide, Peterson, Stickland and Tchida. Veflin was absent. Motion carried.

Ordinance 675 with amendment: Appel moved and Solberg seconded to pass the first reading of Ordinance 675 with amendment to limit the number of medical marijuana dispensaries to a maximum of two.

AN ORDINANCE TO:

AMEND ORDINANCE 17.04.040 "DEFINITIONS" OF THE ZONING ORDINANCE OF THE CITY OF SISSETON; TO AMEND CHAPTER 17.24 [DISTRICT REGULATIONS] TO ADD PROHIBITED USES UNDER SECTION 17.24.020 H.;

TO AMEND SECTION 17.44.010, "PERMITTED USES" [C1 – CENTRAL COMMERCIAL DISTRICT];

TO AMEND SECTION 17.48.010, "PERMITTED USES" [HC – HIGHWAY COMMERCIAL DISTRICT];

TO AMEND Chapter 17.80 "SUPPLEMENTAL REGULATIONS".

Upon roll call vote, voting aye to the amendment of Ordinance 675 were Appel, Just, Stapleton, Solberg, Randolph and German. Jaspers voted nay. Motion carried.

Upon roll call vote, voting aye to the first reading of Ordinance 675 with amendment were Appel, Just, Stapleton, Solberg, Randolph and German. Jaspers voted nay. Motion carried.

Joint Commission adjourned and City Council reconvened.

Ordinance 676: German moved and Stapleton seconded to pass the first reading of Ordinance 676 – AN ORDINANCE ADDING CHAPTER 5.40 TO THE REVISED ORDINANCES OF THE CITY OF SISSETON CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

Upon roll call vote, voting aye were Appel, Just, Stapleton, Solberg, Randolph and German. Motion carried.

Special City Council Meeting: Council was in agreement to hold a special City Council meeting on Wednesday, September 29, 2021 at 5:30 p.m. to have the second reading and adoption of Ordinance 675 and 676.

Ordinance 674: Just moved and Randolph seconded to approve the second reading and adoption of Ordinance 674 the 2022 appropriation ordinance. Upon roll call vote, voting aye were Appel, Just, Stapleton, Randolph and German. Solberg was not present at the time of vote. Motion carried.

Ordinance 677: German moved and Just seconded to pass the first reading of Ordinance 677 – AN ORDINANCE ESTABLISHING ANNUAL SALARY AND WAGE LEVELS FOR THE PRINCIPAL EMPLOYEES AND OFFICIALS OF THE CITY OF SISSETON. Upon roll call vote, voting aye were Appel, Just, Stapleton, Solberg, Randolph and German. Motion carried.

Information & Discussion: Alderman Solberg reported that he has made multiple attempts to get information from Holton Engineering on design of skating rink. Mayor Jaspers will reach out to Helms & Associates to request assistance with project. Alderwoman Appel questioned process of reporting nuisance issues to code enforcement officer and other types of issues that can still be addressed with property owners by city staff.

Executive Session SDCL 1-25-2 (1) Personnel: Solberg moved and Randolph seconded to go into executive session to discuss personnel at 9:00 p.m. All voted aye. Mayor Jaspers declared the meeting back into regular session at 9:10 p.m.

Adjourn: German moved and Appel seconded to adjourn. All voted aye. Meeting adjourned at 9:10 p.m.

Amber Kemnitz, Finance Officer