

**SUMMERSET CITY COMMISSION REGULAR MEETING
AND JOINT PUBLIC HEARING WITH PLANNING AND ZONING
SUMMERSET MUNICIPAL BUILDING
7055 LEISURE LANE
THURSDAY August 19, 2021, 6:00 P.M.**

Mayor Torno called the Regular Meeting to order at 6:00 p.m. Commissioners Hirsch, Kitzmiller, and Butler were present. The City Attorney, City Administrator, and Finance Officer were also present.

Mayor Torno led the Pledge of Allegiance.

Commissioner Thurman present @ 6:02 p.m.

Motion by Butler, second by Hirsch, to approve the agenda for the Regular Meeting of the Summerset City Commission for August 19, 2021. Motion carried.

CONSENT CALENDAR

Motion by Hirsch, second by Kitzmiller, to approve the minutes of the Regular Meeting of August 5th, 2021. Motion carried.

Motion by Kitzmiller, second by Butler, to approve the minutes of the Special Meeting of August 16th, 2021. Motion carried.

Motion by Butler, second by Thurman, to approve the minutes of the Special Budget Meeting of August 16th, 2021. Motion carried.

APPROVAL OF CLAIMS

Motion by Kitzmiller, second by Hirsch, to approve the claims and hand checks in the amount of \$48,382.69 from August 5, 2021 through August 18th, 2021 as presented or amended. Motion carried.

A&B BUSINESS SOLUTIONS	Monthly Contract	45.00
BLACK HAWK WATER USERS DISTRICT	Monthly Usage	32.00
BLACK HILLS ENERGY	Utilities	6,770.21
CBH CO-OP	Govt Fuel	2,980.66
CITY OF RAPID CITY	Solid Waste Disposal	4,911.16
DEMERSSEMAN JENSEN	Legal Services	3,120.00
DIAMOND D WATER	Monthly Usage Steamboat Park	376.95
ELECTRICAL ENGINEERING & EQUIP	Repair & Maint	251.00
EXCEL TRUCK	Repairs To Garbage Truck	51.00
GOLDEN WEST TECHNOLOGIES	TV/PC Troubleshooting	2,580.00
HDR ENGINEERING, INC	Task Order 2020-03	2,127.50
HERMANSON EGGE ENGINEERING	Building Inspections	577.50
KIEFFER SANITATION	Portable Toilets	527.70
MDU	Utilities	213.76
MEADE COUNTY AUDITOR	Dispatch July 2021	2,327.29
MIDCONTINENT COMMUNICATIONS	WWTP Telephone	200.36
MIDCONTINENT TESTING LABS	Testing	415.00

R & N RECYCLING	Pull Roll-offs	1,800.00
RAPID CITY JOURNAL	Publications	985.91
SD Assoc of Rural Water System	Annual Dues	640.00
SD ONE CALL	July Notifications	29.40
SERVALL UNIFORM & LINEN SUPPLY	Monthly Fees	143.87
SONTECH	Equipment	15,995.19
TANNER FENENGA	Reimbursement for refuse lic.	20.00
USA BLUEBOOK	WWTP	242.43

BOARD OF COMMISSIONERS AND PLANNING & ZONING JOINT PUBLIC HEARING ON ORDINANCE 2021-03 REGULATING MEDICAL CANNABIS ESTABLISHMENTS- OPEN PUBLIC HEARING

Motion by Kitzmiller, second by Thurman, to enter into the Joint Public Hearing. Motion Carried.

No public comment.

CLOSE JOINT PUBLIC HEARING

Motion by Kitzmiller, second by Hirsch, to close the Joint Public Hearing. Motion carried.

BOARD OF COMMISSIONERS RECESS

Motion by Butler, second by Thurman, for the Board of Commissioners to Recess. Motion carried.

PLANNING AND ZONING

Planning & Zoning Members Hirsch, Kenrick and Oldfield were present.

Motion by Kenrick, second by Hirsch to recommend approval of Ordinance #2021-03 with the following amendments:

Planning & Zoning Recommendations

- | | | |
|---|---|--|
| 1 | take out violent crime and add any felony | Section 120.02 DEFINITIONS (10) |
| 2 | Add Bus Stops - one thousand feet | Section 120.04 Operating Requirements and Restrictions (D) |
| 3 | Add Residential Area - four hundred feet | Section 120.04 Operating Requirements and Restrictions (D) |
| 4 | Operation Times 9:00a.m. to 6:00 p.m. | Section 120.04 Operating Requirements and Restrictions (C) |
| 5 | Add Sunday as non-operational day | Section 120.04 Operating Requirements and Restrictions (C) |
| 6 | One (1) Dispensary License | Section 120.05 Number and Costs of Licenses (B) |
| 7 | Non-Refundable application fee \$10,000 | Section 120.05 Number and Costs of Licenses (C) |
| 8 | Fee \$75,000 | Section 120.05 Number and Costs of Licenses (C) |
| 9 | Renewal Fee \$75,000 | Section 120.05 Number and Costs of Licenses (C) |

Motion carried.

PLANNING AND ZONING ADJOURNMENT

Motion for adjournment by Hirsch, second by Kenrick. Motion carried

BOARD OF COMMISSIONERS RECONVENE

Motion by Butler, second by Hirsch to reconvene the Board of Commissioners. Motion carried.

FIRST READING OF ORDINANCE #2021-03 REGULATING MEDICAL CANNABIS ESTABLISHMENTS
Ordinance #2021-03 Regulating Medical Cannabis Establishments. This Ordinance is Amending Ordinance Title XV,

Chapter 155 (Summerset's Existing Zoning Ordinance) and All Amendments Thereto, In Accordance with the Provision of Chapter 11-4, 1967 SDCL, and Amendments Thereof, and for the Repeal of All Resolutions and Ordinances in Conflict Therewith.

Motion by Hirsch, second by Thurman, to go into the first reading of Ordinance #2021-03. Motion carried.

The Board recommended the following amendments, along with the recommendations from Planning & Zoning:

**Board of Commissioners
Recommendations**

	1	take out violent crime and add any felony	Section 120.02 DEFINITIONS (10)
	2	Add Bus Stops - one thousand feet	Section 120.04 Operating Requirements and Restrictions (D)
	3	Add Residential Area - four hundred feet	Section 120.04 Operating Requirements and Restrictions (D)
*Change	4	Operation Times 9:00 a.m. to 7:00 p.m.	Section 120.04 Operating Requirements and Restrictions (C)
	5	Add Sunday as non-operational day	Section 120.04 Operating Requirements and Restrictions (C)
	6	One (1) Dispensary License	Section 120.05 Number and Costs of Licenses (B)
*Change	7	Non-Refundable application fee \$20,000	Section 120.05 Number and Costs of Licenses (C)
*Change	8	Fee \$100,000	Section 120.05 Number and Costs of Licenses (C)
*Change	9	Renewal Fee \$100,000	Section 120.05 Number and Costs of Licenses (C)
*Additions	10	Put in AG Classification - four hundred feet	Section 120.04 Operating Requirements and Restrictions (D)
	11	Add Casino - four hundred feet	Section 120.04 Operating Requirements and Restrictions (D)
	12	Add wording: Beer & Wine	Section 120.04 Operating Requirements and Restrictions (D)(6)
	13	Non-refundable - consistent throughout document	

*Lottery System

Motion by Kitzmiller, second by Hirsch, to approve the first reading with amended changes. Motion carried.

Motion by Hirsch, second by Thurman, to schedule second reading for September 2nd, 2021 for Ordinance #2021-03. Motion carried.

FIRST READING OF ORDINANCE #2021-04 AN ORDINANCE PROHIBITING UNAUTHORIZED USE OF CITY GARBAGE CONTAINERS, UNAUTHORIZED DUMPING - OPEN PUBLIC HEARING

Motion by Kitzmiller, second by Butler, to enter into the Public Hearing. Motion Carried.

No public comment.

CLOSE PUBLIC HEARING

Motion by Butler, second by Thurman, to close the Public Hearing. Motion carried.

Motion by Kitzmiller, second by Hirsch to open discussion on Ordinance #2021-04. Motion carried.

Motion by Hirsch, second by Butler, to approve the first reading. Motion carried.

Motion by Kitzmiller, second by Thurman, to schedule second reading for September 2nd, 2021 for Ordinance #2021-04. Motion carried

RESOLUTION 2021-03 – AN AMENDMENT TO THE RESOLUTION SETTING CERTAIN FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF SUMMERSET FOR 2021.

Motion by Butler, second by Hirsch to open discussion on Resolution 2021-03. Motion carried.

Motion by Butler, second by Thurman, to approve Amending Resolution 2021-03. Motion carried.

FEEDBACK ON NATURAL HAZARD MITIGATION DRAFT PLAN 2021

No feedback from the Board of Commissioners.

SET FIRST READING ON ORDINANCE 2022 – AN ORDINANCE APPROPRIATING FUNDS FOR THE FISCAL YEAR 2022

Motion by Kitzmiller, second by Hirsch, to schedule the first reading for September 2nd, 2021 for Ordinance #2022. Motion carried.

ITEMS FROM CITY ATTORNEY

Motion by Hirsch, second by Butler, to enter Executive Session per SDCL 1-25-2 for discussing legal, economic development and personnel issues at 7:21 p.m. Motion carried.

Motion by Hirsch, second by Kitzmiller to exit executive session at 8:34 p.m. Motion carried.

ADJOURNMENT

Motion for adjournment at 8:34 p.m. by Kitzmiller, second Thurman. Motion carried.

(SEAL)
ATTEST:

Candace Sealey
Finance Officer

Melanie Torno
Mayor

Published _____, 2021 at a cost of \$_____.