

Agenda
Joint Elk Point City Council and Planning & Zoning
Special Meeting
Tuesday, June 22, 2021 @ 7:00pm
Elk Point City Hall

- (1) Call to Order as Joint Elk Point City Council and Planning and Zoning and Roll Call
- (2) Approve Agenda
- (3) Approve Payment of Bills
- (4) Public Forum
 - Public hearing at 7:00pm to discuss Ordinance No. 410, A temporary ordinance regarding the issuance of local medical cannabis establishment permits and/or licenses.
- (5) Unfinished Business
 - Planning & Zoning recommendation.
- (6) Adjourn as Joint Elk Point City Council and Planning and Zoning and convene as Elk Point City Council.
- (7) Continue Unfinished Business
 - Second Reading to Ordinance No. 410, a Temporary Ordinance Regarding the Issuance of Local Medical Cannabis Establishment Permits and/or Licenses.
- (8) New Business
 - John Orr Request (UDAG and additional money request).

City of Elk Point
PAYMENTS BY FUND

OBJ Descr	Check Name	Amount	Proj Nbr	Comments
FUND 101 GENERAL FUND				
DEPT 41100 LEGISLATIVE				
SUPPLIES AND MATERIALS	JCL SIOUX FALLS BRAN	\$170.44		2 CASES OF LUXURY FOAM SOA
SUPPLIES AND MATERIALS	STAPLES CREDIT PLAN	\$93.60		HP 83X BLACK PRINTER CARTRI
TRAVEL AND CONFERENCE	ERIKA HAMMITT	\$294.00		MILEAGE REIMBURSEMENT FO
SUPPLIES AND MATERIALS	ONE OFFICE SOLUTION	\$17.99		STAPLER FOR ERIKA
SUPPLIES AND MATERIALS	ONE OFFICE SOLUTION	\$9.29		FILE FOLDERS
TRAVEL AND CONFERENCE	ERIKA HAMMITT	\$64.00		MILEAGE REIMBURSEMENT FOR
SUPPLIES AND MATERIALS	LOFFLER	\$40.00		2 BLACK TONER FOR CITY HALL
TRAVEL AND CONFERENCE	ERIKA HAMMITT	\$14.00		MEAL REIMBURSEMENT
DEPT 41100 LEGISLATIVE		\$703.32		
DEPT 41120 CITY HALL				
SUPPLIES AND MATERIALS	ONE OFFICE SOLUTION	\$105.90		C-FOLD TOWELS FOR CITY HAL
SUPPLIES AND MATERIALS	AVERY OUTDOOR	\$212.00		18" X 60" DIGITAL PRINT - CIT
DEPT 41120 CITY HALL		\$317.90		
DEPT 42100 POLICE				
REPAIRS AND MAINTENANCE	WOODHOUSE AUTO FA	\$62.30		CAP FOR POLICE INTERCEPTOR
SUPPLIES AND MATERIALS	BIG SIOUX AUTO PARTS	\$92.64		8 OZ YF1234 & CERTIFIED A/C
OFFICE EXPENSE	CNA SURETY	\$50.00		SD NOTARY PUBLIC FOR JACOB
UTILITIES	VERIZON WIRELESS	\$42.05		POLICE
UTILITIES	VERIZON WIRELESS	\$40.01		POLICE TOUGHBOOK 2
UTILITIES	VERIZON WIRELESS	\$40.01		POLICE TOUGHBOOK
DEPT 42100 POLICE		\$327.01		
DEPT 43100 HIGHWAYS AND STREETS				
SUPPLIES AND MATERIALS	STAPLES CREDIT PLAN	\$39.38		INK CARTRIDGES FOR MARK H
PROFESSIONAL SERVICES AN	TUDOGS COMPUTING, L	\$409.44		DELIVER & INSTALL NEW SWIT
UNIFORMS	RUNNINGS SUPPLY INC	\$110.94		CLOTHING ALLOWANCE FOR TR
SUPPLIES AND MATERIALS	D-P TOOLS INC.	\$124.95		4 PC PRY BAR SET
UNIFORMS	JACK'S UNIFORM & EQU	\$12.95		CLOTHING ALLOWANCE FOR C
SUPPLIES AND MATERIALS	MSC	\$444.78		REFLECTION TAPE
SUPPLIES AND MATERIALS	MSC	\$41.58		WASHERS * CABLE TIES
SUPPLIES AND MATERIALS	MSC	\$179.50		HEX NUTS & GR 8 HX HD CAP S
STREET REPAIRS	THE ROAD GUY CONST	\$18,360.32		10,432 SQ YDS OF SEAL COAT
REPAIRS AND MAINTENANCE	STURDEVANT'S AUTO P	\$77.84		OIL/ AIR FILTERS & ANITFREEZ
REPAIRS AND MAINTENANCE	AMSOIL INC	\$162.99		MOTOR OIL, INJECTOR CLEAN,
REPAIRS AND MAINTENANCE	STURDEVANT'S AUTO P	\$12.66		OIL FILTERS
DEPT 43100 HIGHWAYS AND STREETS		\$19,977.33		
DEPT 43700 CEMETERIES				
PROFESSIONAL SERVICES AN	UNION COUNTY REGIST	\$30.00		CEMETERY DEED FOR LORI STE
PROFESSIONAL SERVICES AN	UNION COUNTY REGIST	\$30.00		CEMETERY DEED FOR MICHAEL
DEPT 43700 CEMETERIES		\$60.00		
DEPT 44400 HUMANE SOCIETY				
ANIMALS	SIOUXLAND HUMANE S	\$55.00		MAY SERVICES
DEPT 44400 HUMANE SOCIETY		\$55.00		
DEPT 45100 RECREATION				
SUPPLIES AND MATERIALS	WESCO DISTRIBUTION	\$8,970.00		PADMOUNT TRANSFORMER 3-P
SUPPLIES AND MATERIALS	RESCO	\$3,689.70		3 - GROUND SLEEVES 65 X 56 X
DEPT 45100 RECREATION		\$12,659.70		
DEPT 45200 PARKS				

City of Elk Point
PAYMENTS BY FUND

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OBJ Descr	Check Name	Amount	Proj Nbr	Comments
SUPPLIES AND MATERIALS	JCL SIOUX FALLS BRAN	\$75.48		2 HANDS FREE TOWEL DISPENS
FERTILIZER & PEST CONTROL	ZIMCO SUPPLY COMPAN	\$79.00		MINIERO 2F 1 GALLON
SUPPLIES AND MATERIALS	JCL SIOUX FALLS BRAN	\$153.37		FOAM SOAP, TOILET PAPER & T
DEPT 45200 PARKS		\$307.85		
DEPT 45500 LIBRARIES				
MACHINERY AND EQUIPMENT	LOFFLER	\$303.60		LIBRARY CANON COPIER CONT
DEPT 45500 LIBRARIES		\$303.60		
DEPT 46520 PLANNING AND ZONING				
OTHER OTHER CURRENT EXP	HOLMQUIST, ERIC & TR	\$1,079.26		CITY PAID PORTION OF TAXES
DEPT 46520 PLANNING AND ZONING		\$1,079.26		
FUND 101 GENERAL FUND		\$35,790.97		
FUND 602 WATER FUND				
DEPT 43300 WATER				
SUPPLIES AND MATERIALS	USA BLUE BOOK	\$168.47		7 X 10 CAUTION SIGN, STORAG
OTHER OTHER CURRENT EXP	SOUTH DAKOTA ONE CA	\$30.10		LOCATE TICKETS
REPAIRS AND MAINTENANCE	AMSOIL INC	\$162.99		MOTOR OIL, INJECTOR CLEAN,
UTILITIES	VERIZON WIRELESS	\$42.05		ERIC HAINES
DEPT 43300 WATER		\$403.61		
FUND 602 WATER FUND		\$403.61		
FUND 604 SEWER FUND				
DEPT 43200 SANITATION				
REPAIRS AND MAINTENANCE	ECI SYSTEMS	\$150.00		CELLULAR DATA FOR LAGOONS
OTHER OTHER CURRENT EXP	SOUTH DAKOTA ONE CA	\$30.10		LOCATE TICKETS
UTILITIES	VERIZON WIRELESS	\$26.32		MARK RUBIDA
REPAIRS AND MAINTENANCE	AMSOIL INC	\$162.99		MOTOR OIL, INJECTOR CLEAN,
REPAIRS AND MAINTENANCE	KRIPPNER CUSTOM PU	\$7,250.00		AGITATE CITY LAGOON
DEPT 43200 SANITATION		\$7,619.41		
FUND 604 SEWER FUND		\$7,619.41		
FUND 610 ELECTRIC FUND				
DEPT				
	LAHNDORF CAMERON	\$36.87		METER DEPOSIT REFUND FOR
	CAMPBELL GARY	\$43.12		METER DEPOSIT REFUND 508 S
	ROBINSON RUDY	\$8.34		METER DEPOSIT REFUND FOR
DEPT		\$88.33		
DEPT 43400 ELECTRICITY				
REPAIRS AND MAINTENANCE	AMSOIL INC	\$162.98		MOTOR OIL, INJECTOR CLEAN,
OTHER OTHER CURRENT EXP	SVANDA MITCH	\$255.00		EAST RIVER REBATE MATCH FO
OTHER OTHER CURRENT EXP	SOUTH DAKOTA ONE CA	\$30.10		LOCATE TICKETS
OTHER OTHER CURRENT EXP	SVANDA MITCH	\$255.00		CITY REBATE MATCH FOR 85 G
TRAVEL AND CONFERENCE	HUTCHESON, KIM	\$61.65		MILEAGE REIMBURSEMENT FO
REPAIRS AND MAINTENANCE	ECI SYSTEMS	\$150.00		CELLULAR DATA FOR RUBBLE
SUPPLIES AND MATERIALS	STAN HOUSTON	\$126.00		SAFETY RED PAINT X 36
SUPPLIES AND MATERIALS	WESCO DISTRIBUTION	\$23,649.99		PRIMARY WIRE FOR THERMOB
SUPPLIES AND MATERIALS	BORDER STATES ELECT	\$72.00		ELECTRIC SUPPLIES
SUPPLIES AND MATERIALS	BORDER STATES ELECT	\$1,115.01		ELECTRIC SUPPLIES
PROFESSIONAL SERVICES AN	DGR CONSULTING ENGI	\$2,970.00		ELECTRIC RATE STUDY
OTHER OTHER CURRENT EXP	LIEAP	\$9.92		REFUND FOR CASE #00044134
UTILITIES	VERIZON WIRELESS	\$42.05		DAN HUTCHESON

City of Elk Point
PAYMENTS BY FUND

OBJ Descr	Check Name	Amount	Proj Nbr	Comments
DEPT 43400 ELECTRICITY		\$28,899.70		
FUND 610 ELECTRIC FUND		\$28,988.03		
FUND 612 SOLID WASTE FUND				
DEPT 43250 SEWAGE COLLECTION AND DISPOSAL				
REPAIRS AND MAINTENANCE	AMSOIL INC	\$162.98		MOTOR OIL, INJECTOR CLEAN,
REPAIRS AND MAINTENANCE	I-STATE TRUCK CENTER	\$68.05		FILTER - VENTILATOR FOR GAR
SUPPLIES AND MATERIALS	MCNEILUS TRUCK & MF	\$864.91		HOPPER CATCH EXTENSIONS F
DEPT 43250 SEWAGE COLLECTION AND DISPOSAL		\$1,095.94		
FUND 612 SOLID WASTE FUND		\$1,095.94		
		\$73,897.96		

[BatchID]=12263

Marijuana Ordinance status (Other cities)

New= Cities that are drafting their own ordinance.

Temp= Cities using the temporary ordinance provided by the state.

Vermillion: Temp (Originally working on a new ordinance)

Yankton: New

Lennox: Temp

Jefferson- Temp

North Sioux City- Temp

Beresford- Temp

Alcester- Temp

Tea- N/A

Harrisburg- Temp

Canton- Temp

Brandon- Temp

A TEMPORARY ORDINANCE REGARDING THE ISSUANCE OF LOCAL MEDICAL CANNABIS ESTABLISHMENT PERMITS AND/OR LICENSES.

WHEREAS, a local government may enact an ordinance not in conflict with SDCL Chapter 34-20G, governing the time, place, manner, and number of medical cannabis establishments in the locality. A local government may establish civil penalties for violation of an ordinance governing the time, place, and manner of a medical cannabis establishment that may operate in the locality. A local government may require a medical cannabis establishment to obtain a local license, zoning permit, or registration to operate, and may charge a reasonable fee for the local license, zoning permit, or registration.

WHEREAS, the City of Elk Point, SD ("Municipality"), makes a preliminary finding that the Municipality's current regulations and controls may not adequately address the unique needs and impacts of medical cannabis establishments as defined in SDCL 34-20G-1;

WHEREAS, medical cannabis state laws under SDCL 34-20G are effective July 1, 2021. The South Dakota Department of Health shall promulgate rules pursuant to chapter 1-26 not later than October 29, 2021, as defined by SDCL 34-20G-72. During the time between July 1, 2021 and potentially as late as October 29, 2021, local units of government will not yet know standards for medical cannabis and will not be able to adequately assess the local zoning and licensing requirements necessary to approve local permits and to better ensure applicants have a more predictable permitting process and avoid stranded investments.

WHEREAS, the Municipality makes a preliminary finding that the Municipality needs further study of the relationship of medical cannabis establishments to the *City of Elk Point* Comprehensive Plan and Zoning Ordinance. The public interest requires that the Municipality study, analyze, and evaluate the impacts of medical cannabis establishments and to fully explore the impacts of any proposed regulations regarding medical cannabis establishments;

WHEREAS, the Municipality makes a preliminary finding that it would be inappropriate for the Municipality to issue a local permit or license to a medical cannabis establishment prior to the South Dakota Department of Health's promulgation of regulations governing the same;

WHEREAS, the Municipality hereby exercises its authority under SDCL 11-4-3.1 and/or SDCL 9-19-13, *and the Municipality Charter* to establish a temporary ordinance regarding the issuance of any local permits/licenses for medical cannabis establishments within the Municipality;

WHEREAS, a temporary ordinance will ensure that more comprehensive zoning ordinance and building permit changes, licensing permits, and any proposed amendments to the Municipality's Comprehensive Plan can be completely examined with adequate public input from citizens, business interests, and medical cannabis industry representatives;

WHEREAS, the Municipality finds that a temporary ordinance is reasonable to preserve the status quo and prevent significant investment pending the outcome of the above study and any proposed regulations emanating therefrom;

WHEREAS, the Municipality finds that the following ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace and support of the municipal government and its existing public institutions;

NOW, THEREFORE, BE IT ORDAINED BY THE **City of Elk Point, SD**

Section 1. Temporary Ordinance – Application for Local Permit/License

A medical cannabis establishment desiring to operate in the Municipality shall be required to apply for a permit and/or license from the Municipality. Applications for a local permit and/or license to operate a medical cannabis establishment, as defined by SDCL 34-20G-1, shall not be accepted until the South Dakota Department of Health has promulgated regulations as required by SDCL 30-20G-72. Any application received prior to such regulations being promulgated shall be denied.

Section 2. Immediate Effect.

This ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace, and support of the municipal government and its existing public institutions pursuant to SDCL 11-4-3.1 and SDCL 9-19-13.

Date adopted: _____.

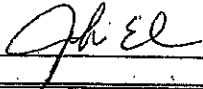
Deborah McCreary, Mayor

ATTEST:

Erika Hammitt, Finance Officer

1st Reading: June 1, 2021
2nd Reading: June 22, 2021
Date Adopted: _____
Date Published: _____
Effective Date: _____

City of Elk Point UDAG Loan Application

Legal Name of Business:	MJ Enterprises LLC / Cat River Anchors		
Name of Principal:	John E-Orl SR / Kristie J-Orl	SS#:	506-21-6856
Phone #:	712 490 3592	Fax #:	
Address:	P.O. Box 700		
City/State/Zip:	Elk Point SD 57025		
Type of Business	Cat River Anchors is a boat anchor company with retail & wholesale sales. We have recently purchased our own powder coating & CNC machine which will allow us to do some custom work. In the new building we will have a retail fishing store.		
Years in Business	9 years, we have owned almost 2.	Fed Tax ID:	
Present Bank:	First Dakota Elk Point	Bank Phone:	
Bank Contact:	Amanda or Paul	Acct #:	
What will money be used for:	We will be using the money to help purchase and help remodel the building to fit our needs. We will use the front of the building for a retail area, and the rear for our shop. We plan on new windows, doors, & paint along with many other updates.		
Jobs Created:	We currently have 2 part time, my wife & I are full time		
Elk Point Benefits:	We want to revivue an old building on main street. Set up a new store and bring people into town.		
Amount of Funds Requested:	27000	Term:	10 years / 4.%
Loan Collateral:	Signature, business, whatever is needed	Value:	
Applicants Signature:		Date:	6-21-21

M J Enterprises LLC DBA Cat River Anchors would like to inquire into the possibility of any grant money or incentives available through the city of Elk Point. We have had offers from another city to relocate our business to their city. However we would like to stay here in Elk Point as we enjoy being a part of this community very much. Cat River Anchors is currently selling retail and wholesale in 48 states and we are growing quickly. We currently have myself and my husband working here full time and we have two people doing welding for us. We hope in the near future to be able to have full time welding, sales, and office jobs available for the people of Elk Point. We were hoping to have some grant money or incentives made available so that we may make the old Sinclair building on Main Street a viable business on Main Street again instead of a vacant building that brings no value to the town. We look forward to hearing your thoughts on this and appreciate you taking the time to consider this matter.

Sincerely,

John and Kristie Orr

Cat River Anchors