

City of White
Regular Meeting
July 12, 2021

The White City Council held a regular meeting on Monday, July 12, 2021 at 7:00 pm at the McKnight Community Center. Mayor Gladis called the meeting to order at 7:02 pm. Roll call was taken, council members present were: Cutler, Schwartz, Sunderland, Lagerstrom and Cassels. Council members not present: Kelm. Other's present were Jacqueline Schultz, Charlotte Mickelson, Arlene Madsen, Donna Wilson, Susan Halecta, Paul Ekern, Jennifer Olson and Stephanie Thelen. All motions were unanimous unless otherwise noted.

Mayor Gladis began the meeting with the Pledge of Allegiance, followed by roll call.

Motion by Lagerstrom, seconded by Cutler to approve the agenda.

Motion by Cutler, seconded by Lagerstrom to approve the minutes from the June 7, 2021 meeting.

Motion by Lagerstrom, seconded by Schwartz to approve the following claims:

Check Name:	Check Amt.	Description
B&B Auto Service	\$660.38	Batteries and Tire Repair
BioAg Energy Services	\$333.99	Gas/Fuel
Brookings County Sheriff	\$3,362.87	Contract Law/Animal Control
Brookings-Deuel Rural Water	\$3,448.70	2021 June Water
City of White	\$1,032.70	Utilities
Colonial Research Chemical	\$711.08	4/1 Gallons Weedtrine-D
Cooks Waste Paper & Recycling	\$4,497.64	City Wide Clean Up & June Garbage Pickups
East River Electric Power	\$3,123.50	May 2021 Wheeling Fees
Fishback Insurance Agency	\$1,853.56	Rewrite of Bonds/Derby Insurance
Gass Law	\$1,260.00	Professional Legal Services
Heartland Consumers Power	\$56,379.42	May 2021 Power and April SPP Trans/June 2021 Power SPP Trans
InfoTech Solutions	\$75.00	Software Backup Storage
Jon Ekern	\$450.00	April-June Monitor and Distribution Reports
Lowes Home Centers, INC	\$192.81	Supplies and Materials
Office Peeps, INC.	\$68.00	Supplies
Pests B Dead, LLC	\$90.00	Rodent Control-Fire Hall
Prairie Graphics	\$285.00	Employee Uniforms
RFD News Group, INC	\$396.65	Publishing Fees
Runnings Supply, INC.	\$157.83	Supplies and Materials
AS Association of Rural Water System	\$385.00	Annual Class B Member Dues
SD Department of Health	\$15.00	Total Coliform-PA
South Dakota One Call	\$11.55	Message Fees
Western Area Power Administration	\$2,682.95	2021 May & June Power

Public Comments: Charlotte Mickelson informed the council that the property to the west of the museum still had not gotten any cleaner. She mentioned that there was too much stuff, especially for Pioneer days being right around the corner. Mayor Gladis informed her that had talked to the code enforcer and that it was being taken care of.

Mickelson also asked if anything had been taken care of with a dog bite that had happened last month. Mayor Gladis informed her that the owner had been fined for 3 violations and that owner no longer lives in town. He had also mentioned when situations like that happen, the council doesn't hear about them until they show up on the report that they get from the county each month.

Jennifer Olson of the Pioneer Days Committee informed the council that they were going to start setting up the derby grounds Tuesday, July 13th. She also handed out cards to all of the neighboring houses, letting them know they were going to start construction. She is also working with Chad to get bleachers set up there as well. They are going to start setting up the park on Wednesday and Thursday as well.

The council was presented with 2 special event alcohol applications for Saturday, July 17th and Sunday, July 18th to serve malt beverages outside for the Pioneer Days Committee.

Motion by Lagerstrom, seconded by Schwartz to approve the Pioneer Days special event alcoholic beverage license for Saturday, July 17th and Sunday, July 18th.

Leftys Sports Pub also presented 2 special event alcohol applications for Friday, July 16th and Saturday, July 17th to serve malt beverage and liquor outside. Friday night there will be a bar set up outside by the bean bag area and Saturday night there will be a bar set up in the street outside the bar.

Motion by Sunderland, seconded by Lagerstrom to approve the Leftys Sports Pub special event alcoholic beverage license for Friday, July 16th and Saturday, July 17th.

The council was presented with an alcoholic beverage license application from Side Track Bar, LLC. Side Track Bar, LLC is located on 202 West Main St., with a legal description of 13-14-15-16, Block 1, Lot 13. Their request of application is to sell retail (on-off sale) malt beverage and SD farm wine. Their plan is to serve only when the track to open to race.

Motion by Sunderland, seconded by Lagerstrom to approve the liquor license for Side Track Bar, LLC.

Brookings Area Singles Dance informed the council that because of limited funds that they have, if they would rent the hall for the rest of the year at \$100 per use. Because of those low funds, they had asked the council if they could continue to pay \$100 per use into next year as well. Mayor Gladis informed them that they would revisit that in January. They were also inquired about using the hall for their New Years Eve dance as well.

Motion by Lagerstrom, seconded by Sunderland to approve the rental of the hall for the next 6 dances at \$100.

Mayor Gladis talked about how the locator that Chad Landmark was using was very inconsistent and was causing him to have false positives and that locator only read water lines instead of

both water and electrical lines. The cost of a new locator is roughly \$4700. The conversation about the purchase of the locator was tabled to the next meeting.

Mayor Gladis informed everyone that he had talked with First District and the city attorney and they had recommended that we adopt the marijuana ordinance 2021-1. This ordinance states that you cannot distribute cannabis within the City of White.

1st Reading: July 12, 2021
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. 2021-1

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 Municipality of White, SD City of White, 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 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, 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 WHITE, 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 34-20G-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: _____

Scott Gladis, Mayor

Rachel Byers, Finance Officer

Motion by Sunderland, seconded by Cutler to approve the first reading of ordinance 2021-1 on July 12, 2021.

A few members in the council had gotten complaints about fireworks being shot off late in the night and were wondering what our ordinance was for fireworks. The more recent ordinance states that you can shoot _____ fireworks June 27th and extending through the end of the first Sunday after July 4th. It also states that no fireworks to be lit after 10:00 pm except for the evening of July 4th.

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There was some concern that the days after the 4th of July should be shortened. Mayor Gladis said they would revisit this ordinance in a few months and make changes if needed.

Finance report by Byers included that she had been to finance training early in June and budget training in early July. There was a lot of learn and lots of very useful information.

Maintenance report given by Mayor Gladis included informing the council that all of the new street light except for 2 of them were installed with the last few weeks. They switched the old incandescent lights to LEDs which should cut our power consumption by 2/3. Arlene Madsen noted that the lights don't cast out as far as they used to. Mayor Gladis mentioned they cast brighter, but just not as high up as they used to. We are planning to apply for the same grant that we did last year to help offset the cost of the lights and labor to install them.

Motion by Sunderland, seconded by Cutler to adjourn at 7:51 pm.

Scott Gladis, Mayor

Rachel Byers, Finance Officer