

MILBANK CITY COUNCIL PROCEEDINGS

August 23, 2021

PURSUANT TO DUE CALL AND NOTICE THEREOF, a special meeting of the City Council and Planning Commission was duly held jointly at City Hall at 6:00 PM. The following members were present: Mayor Pat Raffety, Councilmen Scott Hoeke, Mindy Rogers, Josh Karels, Roger Briggs and Steve Wiener. Absent: Mike Hanson. Planning Commission members: Bob Frink, Connie Larson, Renee Osborne (via telephone), Dick Schmeichel, Sharon Pinkert and Jason Sackreiter. Present from the staff: Attorney Reedstrom, John Forman, Boyd VanVooren, Cynthia Schumacher, Brandy Blauert, Darin Thiele. Present from the public: Agripino Hernandez Perez, Holli Seehafer, Dan Sorenson, Mike Mach, Kathy Ward, Chris & Marea Waldner, Bill Tostenson and Darin Mertens.

Mayor Raffety called the meeting to order, and roll call of the City Council and Planning Commission was taken. A motion was made and seconded to convene jointly as the City Council and Planning Commission.

Planning Chairman Frink opened the floor for public input. Chris Waldner expressed interest in obtaining a license and was present to understand the specifics of the ordinance.

The Planning Commission reviewed each section of the ordinance, and hearing comments. The following amendments were made.

1. Cannabis Dispensaries shall be allowed in all business districts.
2. The number of dispensaries be increased from one to two (Ch 17.42A, #1b).
3. The setbacks from public parks were decreased from 500-feet to 300-feet (Ch 17.42A, #2b).
4. Licensed daycares and pre-schools were added and would also require the 300-foot setback requirement. (Ch 17.42A, #2b)

Chairman Frink called for a motion to recommend approval of Ordinance 838 with the amendments. A motion was made, seconded and carried by roll call vote, 6-0.

The Planning Commission, acting as a Board of Adjustments considered the request of Agripino Hernandez Perez for the placement of a food truck at 406 W 4th Ave, Lots 3-5 and E 2' of Lot 6, Block 11, West End Addition. The location is the former Trevett's Café. A motion was made and seconded to approve the requested permit. Motion carried 6-0.

A motion was made and seconded by the Planning Commission to adjourn. Motion carried. The meeting resumed acting solely as the City Council.

Mayor Raffety opened the floor for additional comment pertaining to Ordinance 838. County Commissioners William Tostenson and Mike Mach expressed concerns.

In addition to the amendments recommended by the Planning Commission, the Council amended the use of the 2021 Edition of the International Building Code and International Fire Code, changing it to the most current version of said codes. (Ch 17.42A, #8)

Following discussion, a motion was made and seconded to approve the first reading of Ordinance 838 with the five stated amendments. Motion carried by roll call, 5-0.

Mayor Raffety opened the floor for discussion of Ordinance 839, An Ordinance creating licensing provisions for cannabis establishments. Attorney Reedstrom explained the state's procedures for licensing. A motion was made and seconded to approve the first reading of Ordinance 839 with the amendment to Section 113.07 increasing the number of dispensaries from one to two. Motion carried by roll call vote 5-0.

Adjourn –The next regular meeting will be September 13, 2021, at 7:00 PM. A motion was made and seconded to adjourn. Motion carried 5-0.

Pat Raffety, Mayor

ATTEST

Cynthia Schumacher, Finance Officer

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