

CITY OF FORT PIERRE
Planning and Zoning
Special Joint Meeting and Regular Meeting
Wednesday
September 1, 2021, 5:15 PM

The special meeting of the Fort Pierre City Council was called to order by Mayor Hanson at 5:15 PM. Council Members in attendance were Bernard, L Cronin, R Cronin, Iversen, Kenzy, and Rathbun. City Staff present were Hanson, Hahn, Heezen, Thorson, Tibbs, and Cromwell.

Public Hearing – Joint City Council and Planning & Zoning for Ord #1053 Medical Marijuana.

Mayor Hanson called a public hearing at 5:20 PM to obtain public input on Ordinance #1053 Medical Marijuana. Hanson asked for proponents to the Ordinance. Rob Krogstad spoke in favor of the Ordinance. He explained that 1 ½ acres would supply the whole state. Plants are best grown indoors due to cross pollination issues, especially with hemp. Hemp could potentially decimate grow facilities even when properly ventilated and controlled. Plants require 12 hours of complete darkness to flower. Greenhouses typically mitigate odor with charcoal filters. These types of facilities or type of business does require a significant investment to start, nearing \$350,000. A single Dispensary in Fort Pierre will provide job security for upwards of 6 individuals and bring significant revenue into the City. Krogstad stated no one has ever overdosed on marijuana, nor has it caused homelessness. Krogstad believes Fort Pierre can sustain 3 Dispensaries. Pat Durkin also spoke in support of the information offered by Krogstad, stating Krogstad was not only honest, but knowledgeable of the rules and regulations pertaining to marijuana.

Vicki Warne (RN) provided a power point on Grassroots Home, Health, and Wealth, LLC, which included a business plan, a mission statement and promoted the medicinal side of the industry. Warne’s goal is to provide customers with a safe, secure location to obtain high quality cannabis and cannabis products at a fair price from compassionate, professional, and knowledgeable staff for medicinal purposes. Warne plans on giving back and investing in the community as well. Warne believes medical cannabis to be a positive pain management breakthrough for medical patients in South Dakota. Warne also reminded the group that over 4500 products a year are pulled from the shelf by FDA. Medical cannabis is natural, what we see on the shelves is not necessarily natural or a high-quality product. Warne had concerns about limiting Fort Pierre to one dispensary. Warne stated this is medicine, “we don’t limit medicine”. Warne felt the area could support more than one dispensary.

John Moisan, surviving cancer patient, expressed that medical marijuana is an alternative to opioids and would help many patients with this disease. Moisan reminded the group as well, “this is medicine”.

Hanson asked for opponents to the Ordinance. Sheriff Brad Rathbun suggested a City owned Dispensary would be beneficial and that a single Dispensary would be sufficient. Warne explained the City would need to accept liability should the City open a Dispensary. Hanson asked for further questions. Jaci Keller asked about guidelines for screening and hiring of workers for the Dispensary and if there was a registry for tracking customers. R. Cronin asked if medical cards were issued only to individuals over the age of 21, if assistance programs covered the cost of the product, and if out of state cards would be accepted. Terry Kvislen expressed concern about doctors just writing scripts for medical marijuana. An unidentified individual expressed concerns of this activity moving to recreational use. All questions were answered. Hanson declared an end to the public hearing at 6:25 PM.

The Planning and Zoning Commission meeting was called to order at 6:26 PM by Chair Keller. Commission Members present were Keller, Tople, Durick, Kvislen and Williams. Public comments were addressed, and discussion ensued on Ordinance #1053 Medical Marijuana. Discussion topics included: official start time 7 AM to 7 PM MST; increasing to three (3) Dispensaries; to include cultivation and manufacturing; no testing.

Durick suggested alternative wording to include cultivation and manufacturing in the Ordinances. Williams moved to approve the wording as would be created by City Staff and approved by the City Council with Kvislen seconding the motion. Motion passed on a Unanimous Voice Vote.

Williams recommended that three (3) Dispensaries should be allowed within the city limits of Fort Pierre in Highway Commercial and Industrial Zoning. Industrial Zoning would require a conditional use permit. There should also be three (3) each of the cannabis cultivation and manufacturing facilities and no testing facilities. However, to receive either a cultivation and/or a manufacturing permit from the City of Fort Pierre, a Dispensary permit must also be issued from the City, along with a South Dakota state issued license. A Voice Vote was taken to approve three (3) dispensaries. There were four (4) ayes and one (1) nea. Motion passed on a Voice Vote.

City Council considered the recommendations and will incorporate them into Ordinances #1053 Zoning and #1054 Licensing with the first readings taking place at the City Council special meeting on 9/2/21.

Mayor Hanson adjourned the Joint Meeting at 6:50 PM.

The Fort Pierre Planning and Zoning Commission meeting was called to order at 6:51 PM by Chair Keller. Commission Members present were Keller, Tople, Durick, Kvislen and Williams.

APPROVAL OF MINUTES (7/21/21).

Minutes were not addressed at this meeting.

APPROVAL OF AGENDA. Kvislen moved to approve the agenda with Durick seconding the motion. Motion passed on a Unanimous Voice Vote.

**APPROVAL OF AGENDA
PLANNED DEVELOPMENT DISTRICT-**

Consideration of a request to Rezone Lots 96 to 99 from single family to townhome (Ordinance #1056) in the currently existing Marion's Garden Planned Development District, Marion's Garden Subdivision; HME Management, Petitioner.

Lane Warzecha, HME, attended via phone. Warzecha explained this is a townhome development project with two phases and two different looks. The two-bedroom homes will be in the first phase and the three-bedroom homes will be in the second phase. The Planned Development Document currently lists lots 100-103 as townhome, which are also a part of this construction plan.

Mike Weisgram and Marlin Roseland representing the Marion's Garden Architectural Committee and HOA are both in support of the current project and expansion. Residents would like to remind contractors to park on one side of the street for safety.

Kvislen moved to approve the change in Ordinance #1056 with Durick seconding the motion. Motion passed on a Unanimous Voice Vote.

FURTHER BUSINESS

Discussed Vacant and Dangerous building and homes in town.

DJK Mobile Home Court officially closed.

Wagon Wheel Mobile Home Court cannot technically take in more homes. There have been several interested parties looking at the property.

ADJOURNMENT

Durick moved to adjourn the meeting with Tople seconding the motion. Meeting was adjourned at 7:20 PM.

Jaci Keller, Chair

Rick Hahn, Respectfully Submitted