

Special Meeting  
July 31, 2023

Meeting called to order by Councilmember Kyle Christensen at 5:30pm

Councilmembers present: Kyle Christensen, Jody Orbeck and Steven Dahlager; Karla Davis and Cindy Stelten absent

Others present: Travis Peterson and Chad Koren

Councilmember Kyle Christensen closed the Regular Meeting and opened the Public Hearing on: The Proposed Interim Ordinance Prohibiting the Establishment of New Uses or the Expansion of Existing Uses Related to the Retail Sale of Edible Cannabis Products and Lower Potency Hemp Edibles in the City of Kimball at 5:30pm

The City Clerk explained to the Council the moratorium would be in effect through 2025, but could be removed earlier if the Council had conducted their study, reviewed necessary information, zoning ordinances, etc.

She further explained that all applicants must first apply for a license through the State Office of Cannabis Management, they would then confer with the City. The State does not expect to be issuing licenses until 2025; at this time, they expect to have the Office of Cannabis Management up and running by October 2023, and have Administrative Rules put into place during the 2024 legislative session allowing for retail sales in 2025.

The City Clerk further explained that the moratorium only addresses retail sales. State statutes place some regulations on where cannabis can/cannot be used; the Clean Indoor Act will also apply. The City will need to look at their Tobacco Ordinance to see what it covers in regards to smoking locations and if any amendments are needed.

No members of the public were present to comment

Councilmember Jody Orbeck introduced Ordinance No. 626 Interim Ordinance Prohibiting the Establishment of New Uses or the Expansion of Existing Uses Related to the Retail Sale of Edible Cannabis Products and Lower Potency Hemp Edibles in the City of Kimball for adopted and Councilmember Steven Dahlager seconded the introduction, with all members voting in favor; motion carried

Mayor Karla Davis and Councilmember Cindy Stelten absent

Councilmember Kyle Christensen closed the Public Hearing on: The Proposed Interim Ordinance Prohibiting the Establishment of New Uses or the Expansion of Existing Uses Related to the Retail Sale of Edible Cannabis Products and Lower Potency Hemp Edibles in the City of Kimball and opened the Regular Meeting at 5:44pm

Councilmember Christensen discussed the PTO payout request with those present; he was not present at the last Special Meeting on July 18<sup>th</sup>. The Personnel Committee did meet with Chad. He explained that when prior employees have requested to be paid out at 100%, the request has been granted; current policy states that PTO is capped at 300 hours and paid at 50%. Councilmember Christensen

stated that he thinks the policy should be changed as it is based upon old history and policy. Councilmember Orbeck stated that she thinks it should be paid as it has been earned; however, the City needs to follow policy. She further stated that they had said it would be paid out at 100% but he would have to work on Saturday until 4:00pm with a list from Travis. Both Chad and Travis explained that there is not a lot that gets done on Saturday and everything is taken care of the week before and leading up to Saturday. Travis further explained that he would not be here until 4:00pm on Saturday. Councilmember Dahlager stated that this is "Hallmark Days" of the City and he does not want it to look bad. Councilmember Orbeck stated that a list still needs to be made. Travis explained that lists have been getting made and Chad explained that it is not his intention to leave the City high and dry. Travis also explained that he has through a few Kimball Days weekends as well.

Motion made by Jody Orbeck and seconded by Steven Dahlager to rescind the following motion made at the July 18, 2023, Special Meeting: Motion made by Karla Davis and seconded by Cindy Stelten to pay out 100% of Chad Koren's PTO if he works until August 12<sup>th</sup> at 4:00 p.m. with a list completed by Travis (as it is Kimball Days and that is the day the parade takes place); motion carried  
Councilmember Kyle Christensen absent; motion carried  
Mayor Karla Davis and Councilmember Cindy Stelten absent

Motion made by Jody Orbeck and seconded by Steven Dahlager to payout 100% of Chad Koren's PTO balance upon his departure at his base rate of \$21.67 plus \$1.00 per license for a total of \$24.67; motion carried  
Mayor Karla Davis and Councilmember Cindy Stelten absent

Motion made by Jody Orbeck and seconded by Steven Dahlager to adopt Resolution No. 07312023A Resolution Adopting Assessment for Unpaid Charges; motion carried  
Mayor Karla Davis and Councilmember Cindy Stelten absent

Motion made by Steven Dahlager and seconded by Jody Orbeck to adopt Resolution No. 07312023B Resolution Accepting Emergency Management Director Kiffmeyer's Resignation; motion carried  
Mayor Karla Davis and Councilmember Cindy Stelten absent

The Council directed the City Clerk to check into other cities PTO pay-out policies.

Motion made by Steven Dahlager and seconded by Jody Orbeck to adjourn at 6:23pm; motion carried  
Mayor Karla Davis and Councilmember Cindy Stelten absent

Respectfully submitted by Nicole Pilarski