**CHAMBERLAIN CITY COMMISSION**

**October 18, 2021**

The Chamberlain City Commission held their second regular meeting on October 18, 2021 at 6:00 PM.

Present: Mayor Chad Mutziger(via teleconference present for first reading of Ordinance No 562J), Commissioners Claussen, Soulek, Ruhlman and Thomas, Finance Officer Nicky Gaulke, City Administrator Mike Lauritsen.

Absent: Chief of Police Jason Handel.

**Pledge of Allegiance**

**Adopt Agenda**

Motion by Soulek second by Claussen, all ayes and approved the agenda.

**Conflict of Interest**

No conflicts of interest were noted.

**Minutes**

Motion by Soulek second by Soulek, all ayes and approved the minutes from the last regular meeting.

**Public Comments**

The floor was opened for public comments with none being received.

**Bills**

Motion by Soulek second by Claussen, all ayes, approved to pay the following bills:

A&R Truck Equipment $282.64 Maint; Ace Hardware $503.32 Supplies; AT&T $269.78 Phone; Aurora-Brule Rural Water $195 Water; Baker & Taylor Company $589.29 Books; Brite $8,288 Supplies; Brooks Applied Labs $550 Pro Serv; Brule Co Coop $185 Maint; Brule County Lumber $98.74 Supplies; Burke Oil Company $3,364.39 Fuel; Butler Machinery Company $18.56 Supplies; Byre Brothers, Inc $2,119 Pro Serv; C&B Operations $213.42 Supplies;  Card Services Center $2,691.52 Supplies; Cengage Learning $180.67 Books; Center Point Large Print $93.48 Books; Central Dakota Times $822.33 Publish; Central Electric Cooperative  $1,643.12 Electric; Chamberlain Building Supply $486.68 Supplies; Chamberlain Food Center $20.53 Supplies; Chamberlain Napa $132.22 Supplies; Chamberlain Redi Mix $954.75 Maint; Chamberlain Wholesale Grocery $1,083.25 Supplies; City Of Chamberlain $111 Supplies; Commercial Asphalt Co, Inc $868.84 Oil/Asph; Communications Center $39 Pro Serv; Cozine Electric $163.13 Supplies; Dakota Milestones $216.58 Pro Serv; Dakota Pump And Control $2,030.62 Maint; Demco $308.06 Supplies; Dollar General $18.37 Supplies; Donaldson Ditching $561.23 Maint; Donovan, Amy $90 Pro Serv; Dozys Signs & Neon $1,226.67 Maint; Freidel, Jay $75 Pro Serv; Graham Tire Mitchell $690.96 Maint; Gullickson, Libbie $60 Pro Serv; Hach Company $49.34 Supplies; Hawkins $2,208.05 Chemical; Hickey Heating & A/C $375.94 Maint; Hickey, Vance $1,000 Refund; Hopkins Plumbing Heating A/C $222.01 Supplies; Ingram Book Company $1,058.91 Books; JG Welding & Repair $1,734.45 Supplies; Kelsey, Kurt $192 Pro Serv; Kennebec Telephone Company $2,332.85 Maint; King Street Garage $120 Maint; Kurtz, Atumun $35.71 Pro Serv; Meyerink Farm Service, Inc $366.12 Supplies; Midstate Communications $1,886.37 Phone; Miracle Recreation $1,554.30 Supplies; Morris Inc $889.43 Oil/Asph; Myers Collison Center $135 Pro Serv; Northwest Pipe Fittings, Inc $6,061.69 Supplies; Northwestern Energy $24,235.43 Electric; Pete Lien & Sons, Inc $4,385.77 Chemical; R&J Gravel And Trucking $10,800 Impro Other; Recreation Supply Company $226.27 Maint; Richter, Brenna $60 Pro Serv; Rons Service $211.59 Supplies; Sanford Health $208 Pro Serv; SD Dept Of Health $658 Pro Serv; SD Dept Of Transportation $2,542.09 Gas; S.E.H $16,993.55 Pro Serv; Servall Uniform/Linen Company $99.46 Supplies; Sioux Nation Ag Center $171.02 Supplies; South Dakota 811 $48.16 Pro Serv; Sturdevants Auto Parts $136.33 Supplies; The Library Store $71.37 Supplies; Tonys Kustom & Collision $382.19 Pro Serv; Vaad, Loaun $1,000 Eco Dev; Variety Plus $81.23 Supplies; Water Environment Federation $155 Pro Serv; Willrodt Motor $1,069.20 Maint; Worx $1,078.80 Chemical; **General Fund: Salaries: $66,485.37 Total $122,576.72;Econ Dev: $1,000; Football: $377.24; Library: Salaries: $4,860.52; Total: 8,799.87; Water: Salaries: $11,390.74 Total: $33,432.44; Wastewater: Salaries: $13,656.29; Total: $29,154.43; Airport: $17,132.98.**

**First Reading Ordinance No 562J – Amend Zoning for Transient Housing**

Ordinance No 562J was presented to Council for the first read. This ordinance amends the zoning ordinance to require transient housing to be allowed in commercially zoned properties, and not allowing in residentially zoned properties. Any property that was granted a conditional use previously will be grandfathered in and still allowed to operate as is.

The Planning and Zoning Board recommended approval of the first reading of Ordinance No. 562J.

Mayor Mutziger stated that a home is hard to come by in our town and that VRBO like rentals are taking housing away from families looking for housing. He added that these properties are also taking customers away from our hotels and motels.

Mayor Mutziger went on to say that most people would say they are not opposed to these types of rentals as long as it is not their neighbor.

Commissioner Claussen stated that this ordinance will not be an issue for the ones already legally operating this way.

Commissioner Ruhlman stated that this is an ordinance that we can revisit in the future and hopefully available housing changes.

Mayor Mutziger agreed with Ruhlman stating that we don’t have the housing available right now for permanent residents and this also competes with the hotels and motels.

Karri Swenson stated that these properties bring vacationers to our towns that do not want to stay at a hotel or motel. She added that VRBO’s are a different than hotels and that people stay three plus nights and rent boats and shop at our local businesses.

Mayor Mutziger stated that everything she listed could be said about a hotel. He added again that we are trying to help fix our housing crunch.

Commissioner Claussen asked if these VRBO’s are claiming income and collecting taxes and it was noted that they have to if they are registered with one of the registration sites. Claussen went on to say that these rentals are another business doing the same thing a hotel does.

Commissioner Ruhlman stated that she feels like housing is pretty tight now and this will put a buffer on the use of our housing. Our current workforce cannot find a place to live right now, she thinks this is something we need to do.

Commissioner Soulek stated that houses are selling off the market extremely quick, some are sold even before they hit the market.

Jim Swenson stated that they look for a VRBO when they are on vacation and they base that vacation on the availability of a VRBO.

Karri Swenson stated that she spoke with some gentlemen who ended up staying in a VRBO in Yankton and are driving every day because they could not find anything available here and that they will no longer come here.

Commissioner Ruhlman stated that if she travels with extended family, she even prefers a house to stay in, but VRBO’s service visitors and we are trying to prioritize our residents over visitors right now.

Commissioner Claussen reminded them that the existing ones operating with a conditional use are grandfathered in.

It was noted that homes are now being bought just for this purpose to be used as a business on a residential property.

Karri Swenson stated that one property that she manages would have only been occupied for a few weekends a year and sat empty the rest of the year, but with this, the property is now able to be used year-round.

Gaulke stated that she was contacted by an individual interested in the Butler home and they were asking about what the process was to use it as a VRBO because they could not afford the home if they did not also rent it out.

Commissioner Ruhlman added that this may not last forever. We are developing other residential opportunities for homes with Smokey Groves also.

Jim Swenson asked why we don’t the City get a few developers to go in and build the homes for resale at Smokey Groves and it was noted that we would consider it if any developers were interested in doing this.   
Terrance Hickey stated that he thinks the lots are going to be too expensive because they are so much more than the Cedar Heights lots were.

It was noted that the City is not making any money off of these sales and Finance Officer Gaulke noted that we also owned the land when we developed Cedar Heights and we had to purchase the Smokey Groves land.

Karri Swenson said again that people want to stay in family homes when they are traveling, and they spend money in that community.

Terrance Hickey asked why the City doesn’t consider allowing certain time periods for these types of rentals, like Sturgis does.

Commissioner Thomas stated that his family stayed in a VRBO on their vacation and they brought everything they needed with them and did not spend any money within that community.

Karri stated that her renters do not do that.

Motion by Mutziger second by Ruhlman, all ayes and approve the first reading of Ordinance No 562J which amends the zoning ordinance 562J for transient housing.

Motion by Ruhlman second by Claussen, all ayes and approved to schedule the second reading of Ordinance No 562J for November 1, 2021 at 6:15 PM.

**Employee Health Insurance**

Gaulke presented the employee health insurance stating that she checked rates with other insurance companies and they either cost more or did not have as good of coverage. Rates did increase as did the deductible for the plans, but with the new hires, our overall expense is less to the City. The amount less to the city is $15.64 per employee. Gaulke asked the Council to consider contributing this amount towards the employees HSA accounts to help cover the increase to the deductibles. Motion by Ruhlman second by Soulek, all ayes and approved to contribute an additional $15.64 per month towards the employees HSA accounts.

**After School Recreation Program Hires**

Motion by Soulek second by Claussen, all ayes and approved to hire Keeleigh Elwood and Madeline Steckelburg-Ingle at $10.25 per hour for the after school recreation program.

**Cannabis License – Deadline**

Motion by Ruhlman second by Claussen, all ayes and approved the cannabis license as presented and to set a deadline of November 15 at 5:00 PM for applications to be submitted to the City.

**Northwestern Energy Contract**

A new contract was received from Northwestern Energy for the meter/billing of water and sewer. The rate is the same with the only changes being made to the collection process as per the new laws. Motion by Claussen second by Soulek, all ayes and approved a two year contract with Northwestern Energy.

**Liquor License Renewals**

Motion by Soulek second by Ruhlman, all ayes and approved the following liquor license renewals contingent upon property taxes being paid: Melchert Properties, LLC North Bay One Stop for package off-sale license at Lots 14-18, Block 10, H.J. Kings Addition; Old 16 Trading Post LLC for package off-sale license at Lots 1 & 2, Block 62, Second Addition; Albert Steven Fox, Bottle Shop for package off-sale liquor license at West 60’ Lots 11-14 and the South 3’ of Lot 15, all of Block 9, Original Plat; Georgina Allen, Charly’s for retail on-sale liquor license at Outlot “B”, Block 39, Third Addition and Outlot “B”, Block 35, First Addition; Hickey Properties for retail on-sale license at Lots 12-18, except the E20’ of Lots 17 & 18, Block 1, Original Plat; DL Kenobbie Inc., Silver Dollar Bar for package off-sale liquor license at Lots 9-12, Block 7, Original Plat; DL Kenobbie Inc., Silver Dollar Bar for retail on-sale liquor license at Lots 9-12, Block 7, Original Plat; Marguerite Pearson, Main Street Café & Market for retail on-sale liquor license at Lots 28 & 29, Block 13, Original Plat; WLH Investments Inc., AmericInn Lodge & Suites for Convention on-sale liquor license at the E 413’ Wieczorek’s Outlot 1 in the NE ¼ of Section 34-104-71; Hloucha Enterprises, LLC Chamberlain Food Center for retail off-sale liquor license at Lot 1-A & B a portion of previously platted Lot 1, Reservoir Hill Subdivision including a portion of abandoned Stearns Avenue and all of Lots 11 and 12 and part of Lot 13, Block 75, Park Addition; Ellar LLC., Uppercrust. Pizza, for a retail on-off sale wine license at Lot 1-A, Block 63, Second Addition to the City of Chamberlain, a Subdivision of Former C.M. and St. Paul Railroad Company Right-of-Way, Brule County, South Dakota; The Smoking Mule for retail on-sale liquor at 309 E Glen, NW ¼ NE ¼ SE ¼ NW ¼ of Section 15 T104N, R71W, Brule County, Chamberlain, SD; Dolgen Midwest LLC Dollar General Store #22416 for retail on-off sale wine and cider at Lots 6, 7, & 8, Block 10, Original Plat Chamberlain; Los Tapatio LLC, Mi Pueblo for retail on sale restaurant liquor at Tract 4, except the east 100 feet and except Lot 1 of the First subdivision of Parcel A, Lakeview Heights Third Addition; Family Dollar Stores of SD, for retail on-off sale wine and cider at Lot 5 except the North 12’, all of lots 6-9, Block 22, HJ King Addition, Chamberlain; Berry & Basil, LLC for retail on-off sale wine and cider at Lots 23, Block 13, Original Plat Chamberlain.

**City Administrator Report**

Mike Lauritsen reported that DOT got the portion of South Main by the Avenue of Flags completed. He added that he has also been told by DOT that they will be completing the highway between the bridge east of CFC to the Missouri River bridge in two years.

They have been working on plans for an enclosed fish cleaning station with three phase power and possibly a boat wash. He would like to put it at the corner to American Creek near where the can trailer sits. He added that we will operate with two fish cleaning stations.

The back door into the gymnasium at the community center has been leaking. Street Superintendent Kevin Olesen placed sandbags along the door and will work on fixing the runoff when he has a chance.

Lauritsen is scheduling CPR training for the employees as a couple have asked for a refresher.

Central Divers will be here tomorrow to start the zebra mussel mitigation at the water plant.

**Other Matters**

Commissioner Ruhlman stated that she has a meeting with Scott, Ron and Mike and they discussed possible projects. She would like to see if we can do a temporary ice skating rink at Saukerson t-ball field made with plastic and landscaping logs.

We are also looking into pricing on fencing for a possible dog park in the old softball field to the north of Greig baseball field.

**Adjourn**

Motion by Thomas second by Claussen, all ayes and approved to adjourn at 6:51 PM.

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Tim Thomas, Chairman in Mayors Absense

Attest:

*SEAL*

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Nicky Gaulke, Finance Officer

Published once at the total approximate cost of \_\_\_\_\_\_\_\_\_\_.