**CHAMBERLAIN CITY COMMISSION**

**​April 18, 2022**

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

Present: Mayor Mutziger, Commissioners Soulek, Thomas and Ruhlman, City Administrator Mike Lauritsen and Finance Officer Nicky Gaulke and Police Chief Jason Handel.

Absent: Commissioner Claussen.

**Pledge of Allegiance**

**Adopt Agenda**

Motion by Ruhlman second by Thomas, all ayes and approved the agenda with the addition of a raffle for the golf course and removing the Smokey Groves engineering proposals.

**Conflict of Interest**

No conflict of interest was noted.

​**Minutes**

Motion by Thomas second by Ruhlman, 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 Ruhlman second by Thomas, all ayes and approved the following bills:

A&R Truck Equipmen  t $2,377.68 Maint; Ace Hardware $288.67 Supplies; Aqua-Pure Inc $1,155.94 Chemical; AT&T $259.10 Phone; Aurora-Brule Rural Water $36.50 Water; B&L Communications $2,245 Supplies; Brosz Engineering $3,548.50 Prof Serv; Baker & Taylor Company $925.61 Books; Bohlmann $3,146.46 Supplies; Brule Co Coop $848.50 Supplies; Brule County Lumber $5,483.71 Supplies; BSN Sports $161 Supplies; Burke Oil Company $3,779.59 Fuel; Byre Brothers $1,719 Prof Serv; C&B Operations $2,265.70 Maint; Card Services Center $1,985.67 Supplies; Carswap $277.40 Maint; Cengage Learning $321.37 Books; Center Point Large Print $95.88 Books; Central Dakota Times $750.89 Publish; Central Electric Cooperative $1,850.77 Electric; Chamberlain Building Supply $4,547.25 Supplies; Chamberlain Chamber Of Commerce $5,000 Econ Dev; Chamberlain Food Center $29.52 Supplies; Chamberlain Wholesale Grocery $150.10 Supplies; City Of Chamberlain $230.85 Supplies; Communications Center $39 Prof Serv; Core & Main $4,283.59 Building; Cozine Electric $541.76 Supplies; Cutler Lawfirm  $5,505 Prof Serv; Dakota Milestones $484.14 Prof Serv; Dakota Pump Inc $6,368.28 Maint; Dakota Supply Group $679.66 Maint; Demco $114.09 Supplies; Donaldson Ditching  $832.45 Maint; Ethanol Products $2,550.88 Chemical; Fabulous Finds $170.39 Supplies; Ferguson Enterprises, Inc $867.50 Maint; H&H Electric & Motor Repair $2,904.50 Maint; Hach Company $544.81 Chemical; Hawkins $2,261.32 Chemical; Hopkins Plumbing Heating A/C $154.18 Maint; Ingram Book Company $482.91 Books; JG Welding & Repair $2,500 Repair; Kelsey, Kurt $192 Prof Serv; Kennebec Telephone Company $896.73 Maint; King Street Garage $894.57 Maint; M&T Fire And Safety $600 Supplies; Midstate Communications $1,883.29 Phone; Midwest Tape $68.96 Books; Muth Electric $5,968 Maint; Nalco $1,879.50 Chemical; NASASP $39 Prof Serv; Northern Balance & Scale $332 Maint; Northwestern Energy $25,758.35 Electric; Oasis Pump N Pak $104 Fuel; Office Products Center $253.20 Supplies; Overdrive $2,000 Books; Petersen Mfg Co Inc $1,642 Supplies; Pressure Washer Specialist $489.45 Maint; Quill Corporation $333.54 Supplies; R&J Gravel & Trucking $5,000 Prof Serv; Same Day Express, Inc $20 Prof Serv; Sanford Health $416 Prof Serv; Sanford Occupational Med $129 Prof Serv; Scott Supply Co $607.56 Maint; SD Department Of Revenue $1,950 Alcohol License/ Lottery; SD Dept Of Transportation $9,068.82 Gas; Secretary Of State $90 Prof Serv; Secretary Of State $30 Prof Serv; S.E.H $4,954.77 Prof Serv; Servall Uniform/Linen Company $157.83 Prof Serv; Sioux Nation Ag Center $215.98 Animal Control; SD 811 $58.24 Prof Serv; Swenson, James $3,000 Land; The Library Store $375.66 Supplies; Transource $3,321.25 Supplies; USA Bluebook $300.82 Maint; Variety Plus $132.05 Supplies; Verizon Wireless $160.65 Phone; Walker Process Equipment $200.07 Supplies; Water & Environmental Engineer $244 Chemical;**General Fund: Salaries: $31,153.77; Total $112,155.89; Econ Dev: $5,000; Library: Salaries: $2,730.50; Total: 10,961.89; Water: Salaries: $5,831.41; Total: $29,374.40; Wastewater: Salaries: $6,727.98; Total: $31,421.76; Airport: $5,910.48.**

**Malt Beverage License Renewals**

Motion by Soulek second by Thomas, all ayes and approved the following on-off retail malt beverage and SD Farm Wine licenses renewals contingent upon all license applications being completed and property and sales taxes being current: Bowling Dome at Lots 11 & 12, Block 5, First Addition; Old 16 Trading Post, LLC at Lots 1 & 2, Block 62, Second Addition; Lakeview Sinclair Inc., Lakeview Sinclair at Lakeview Heights 3rd Addition, 1st Subdivision, Parcel “A” Tract 3, Chamberlain; Albert Steven Fox, Bottle Shop at the West 24’ of Lots 13, 14 and the West 60’ of lots 11 & 12 and all of Block 9, Original Plat; Albert Steven Fox, ACR at East 36’ of the west 60’ of Lots both Lots 13 & 14 and the South 3’ of the East 36’ of the West 60’ of Lot 15, all in Block 9, Original Plat; Casey’s Retail Company, Casey’s General Store #1161, at North 120’ of Lots 11-13, and the North 120’ of Lots 9 & 10 and the West 16’ of North 120’ of Lot 8, all of Block 18, Original Plat; C & E Enterprises, Inc., I-90 Standard at Tract 7 in NW ¼ of Sec 35-104-71; Vet’s Oil Company, Whoa N’ Go Fuel Stop at W-1 in NE ¼ of Sec 34-104-71; Gary Allen, Allen’s Tackle Shop at Lots 1, 2, 3, and 8, Block 35, First Addition, and vacated portion of King Street adj. and Stearns Avenue; Marguerite Pearson, Main St Café & Market at Lots 28 & 29, Block 13, Original Plat; Terry and Cheryl Gaulke, The Smoking Mule, LLC at 309 E Glen, NW ¼ NE ¼ SE ¼ NW ¼ of Section 15 T104N, R71W; Upper Crust Pizza, 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; Shoreline Adventures, American Creek Campground & Robs Snow Removal Lots 7-11, Block 18 & Lots 15-20, Block 9, HJ Kings Addition; Quirk’s Sporting Goods at Lot 1A of Adjusted block 56, Railroad Addition and Lot 1-6, Block 56, Second Addition except N part of Lot 1; Dolgen Midwest, LLC, Dollar General Store #22416 at Lots 6-8, Block 10, Original Plat; Family Dollar Stores of SD, LLC at Lot 5 except the North 12’, Lot 6, 7, 8, 9 Block 22, HJ King Addition.

**Lifeguard Hire**

Motion by Ruhlman second by Soulek, all ayes and approved to hire Katie Lien as a lifeguard at $11.00 per hour.

**Forester Plat**

Lauritsen informed the Council that we have been submitted a plat from John Forester along Sunset Drive where he is splitting Outlot Number 1D into two lots. The Planning and Zoning Board recommended the plat for approval. Motion by Thomas second by Ruhlman, all ayes and approved the following plat: A Plat of Lots 1 and 2 of Forester Addition, a Subdivision of Wieczorek’s Outlot Number 1 in the NE ¼ of Section 34, T 104 N, R 71 W of the 5th P.M., City of Chamberlain.

**Release of Easement**

We have been asked to vacate an easement at 1250 East King and 1300 East King. Lauritsen stated that everyone else has already vacated the easement and there is no need for it for the City. Motion by Soulek second by Thomas, all ayes and approved to release the 6’ utility easement located on each side of the common boundary owned by Schweisow Family Trust and R and M Commercial Properties located at 1250 East King and 1300 East King.

**Golf Course Raffle**

Motion by Ruhlman second by Thomas, all ayes and approved a raffle for the Chamberlain Golf Course to raffle off several prizes with the funds being used for improvements to the golf course.

**Second Reading Ordinance No 562N – Zoning**

Motion by Soulek second by Thomas, all ayes and approved the second reading at 6:10 PM of Ordinance No 562N which amends the zoning ordinance to rezone Storjahanns OL #1 NESE 15-104-71 PT of OL 24 & Lot 6 Other OL Chamberlain – FKA Chamberlain Livestock and Storjohann’s Outlet 2 14/15 104-71, City of Chamberlain, Brule County, South Dakota from a Commercial (C-2) to Highway Commercial (C-3).

**Public Hearing – Conditional Use – Donaldson Campground**

Motion by Thomas second by Soulek, all ayes and approved to open a hearing at 6:10 PM for a conditional use request from Adam Donaldson to construct a campground in Highway Commercial zoned property.

Lauritsen informed the Council that the Planning and Zoning Board recommended approval of the campground with a set of updated guidelines used by other campgrounds in the area. Lauritsen presented the Council with these guidelines. He added that they would also like Donaldson to construct a fence between him and the adjoining property owner to prevent trespassing.

Donaldson addressed the Council that a new campground would be good for our community for existing businesses also as it will bring people to town.

Kelli Potter stated that with the amount of activities we have in our community, a new campground is a win for a lot of us. She added that it will put money back into this community. Campground people have been good for our community.

Mayor Mutziger asked for comments three times.

With no further discussion, motion by Ruhlman second by Thomas, all ayes and approved to close the hearing at 6:13 PM.

Motion by Soulek second by Thomas, all ayes and approved the Conditional use request from Adam Donaldson to construct a campground at Storjohanns OL #1 NESE 15-104-71 PT of OL 24 & Lot 6 Other OL Chamberlain – FKA Chamberlain Livestock and Storjohann’s Outlet 2 14/15 104-71, City of Chamberlain, Brule County, South Dakota with the guidelines as presented by the Planning and Zoning Board. (copy can be obtained from Finance Office)

**Public Hearing – Comprehensive Water and Wastewater Improvements Plan - SRF**

Motion by Thomas second by Soulek, all ayes and approved to open a public hearing on April 18, 2022 at 6:15 PM to hear testimony on the proposal of the Chamberlain comprehensive water and wastewater improvements plan and SRF loan approval.

Greg Powell, Engineer with Brosz Engineering, went over the list of projects on the Cities facility plan which included sewer replacement by St. Joes, water replacement by Mott Street, new water lines along Byron to AmericInn, carbon dioxide treatment upgrade, screens on water intake pipes, and Smokey Groves sewer and storm sewer for a total of $3.1 million. The City will pledge the ARPA funds received in the amount of $440,000 towards the project, along with a match of DANR of $440,000 and 30% matching grant of remaining project and SRF loans covering the remaining $1.5 million. Powell added that the City will have to increase water rates $2-3 per month and sewer rates $3-$4 per month. Powell went on to state that a lot of the communities have increased their monthly rates to $55 as per the DANR recommendation.

Mayor Mutziger asked when we will know whether or not we are given the grant from DANR and Powell stated their meeting is in June.

Mayor Mutziger asked what the schedule is like for these ARPA funds and Powell stated they are supposed to be spent by December of 2024.

With no further questions or comments, motion by Soulek second by Thomas, all ayes and approved to close the hearing at 6:21 PM.

Motion by Soulek second by Ruhlman, all ayes and approved to support moving forward with the Chamberlain Facility Plan and SRF loan applications.

**Public Hearing – BFF’s Sip and Shop Boutique Malt Beverage and Wine License**

Motion by Ruhlman second by Thomas, all ayes and approved to open a hearing at 6:22 PM for a new malt beverage and SD Farm Wine and Wine license applications from BFF’s Sip and Shop Boutique located at 200 N Main Street.

Rochelle Hopkins stated that she and another partner plan on doing a boutique in the front of the store and serving wine in the back. She noted that shoppers can purchase a glass of wine while shopping. It was asked what building this will be in and Hopkins stated the old Gregg Drug. Hopkins added that their business name of BFF stands for beauty, fashion and faith.

With no further comments, motion by Thomas second by Soulek, all ayes and approved to close the hearing at 6:24 PM.

Motion by Thomas second by Ruhlman, all ayes and approved the following licenses: for retail on-off sale malt beverage & SD farm wine and on-off sale wine at Lots Seven and Eight, Block 7, Original Plat to the City of Chamberlain.

**Main Street Crack Seal**

Lauritsen noted that we need to fix Main Street so he has obtained an estimate to do a crack seal. He added that Street Superintendent Kevin Olesen and Engineer Jeff Williamson both believe this project needs to happen. We received a contract from Bargen Incorporated in the amount of $37,995 with an additional $10,500 to include mastic gap repairs. Olesen and Williamson recommend doing both. One way to pay for this is to cut back on the amount of chip-sealing we do.

Commissioner Thomas asked if we could take it off of the fog-seal that was planned and Lauritsen stated that we had to sign a contract on that already.

Commissioner Soulek asked if there are streets that can be removed from the list and Lauritsen stated that yes, we will just move them back a year.

Mayor Mutziger stated that Main Street is important to us and if we don’t address it the problem is just going to get worse. He also noted that Main Street is concrete and there is still maintenance required on concrete streets also.

Commissioner Thomas stated that we are wasting money painting streets with this fog-seal.

Motion by Thomas second by Soulek, all ayes and approved to execute the agreement to crack seal Main Street at a cost of $37,999 with the addition $15,500 for the majestic gap repairs.

**Schedule Airport Public Input Meeting**

Motion by Ruhlman second by Soulek, all ayes and approved to schedule a public input meeting on June 2nd at 5:30 PM to hear input on the environmental assessment for the Chamberlain municipal airport runway extension project.

**Swim Pool Rates**

Motion by Soulek second by Ruhlman, all ayes and approved the new swim pool rates: season passes: family $120, adult $50, Child $40; daily passes: 2 and under free, child $5 and adult $7.

**Schedule Public Hearing – Schoeney and Doney Transfer Malt Beverage License**

Motion by Ruhlman second by Soulek, all ayes and approved to schedule a public hearing on May 2 at 6:10 PM for the following license transfer: Transfer from Schoeney & Doney, LLC, River City Grill for retail on-off sale malt beverage and SD farm wine at East 50 feet of the South 100’ of the Chicago, Milwakee St. Paul and Pacific Railroad right of way between Blocks 61 and 64 of the Second Addition Chamberlain to the R/W Tracts & Lots 7-11, Block 64, Second Addition Chamberlain to Schoeney & Doney, LLC, River City Grill for retail on-off sale malt beverage and SD farm wine at R/W Tracts & Lots 7-11, Block 64, Second Addition Chamberlain.

**City-Wide Clean-Up**

Council was reminded that the City-wide clean-up is schedule for April 30 from 9:00 AM to 3:00 PM at the Avenue of Flags.

**Senior SCIP Day**

The City will be assisting the senior class in painting a home on May 6 for Senior SCIP Day.

**Arbor Day**

Lauritsen stated that the City received the DANR grant for trees with Modern Woodman matching the grant. Commissioner Ruhlman stated that they plan on planting trees next week and have some kids from the elementary helping plant trees on Arbor Day by the Avenue of Flags.

**Executive Session – Personnel and Legal Matter**

Motion by second by, all ayes and approved to enter executive session at 6:45 PM to discuss personnel and a legal matter.

Motion by Soulek second by Ruhlman, all ayes and approved to exit executive session at 7:16 PM.

**Adjourn**

Motion by Ruhlman second by Soulek, all ayes and approved to adjourn at 7:16 PM.

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Chad Mutziger, Mayor

​Attest:

*SEAL*

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Nicky Gaulke, Finance Officer

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