**CHAMBERLAIN CITY COMMISSION**

**May 17, 2021**

The Chamberlain City Commission held their second regular meeting on May 17, 2021 at 6:00 PM.

Present: Mayor Chad Mutziger, Commissioners Claussen, Ruhlman, Soulek and Thomas, City Engineer Greg Powell and Finance Officer Nicky Gaulke.

Absent: None.

**Pledge of Allegiance**

**Adopt Agenda**

Motion by Ruhlman second by Soulek, all ayes and approved the agenda with the deletion of Miles Bradley as he cancelled and the addition of a Library ARP Grant.

**Conflict of Interest**

No conflicts of interest were noted.

**Minutes**

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

A&R Truck Equipment $182.67 Repair; Ace Hardware $1,146.64 Supplies; Agtegra $5,069.50 Fuel; Aqua-Pure Inc $10,134.53 Chemical; AT&T $250.83 Phone; Aurora-Brule Rural Water $201.50 Water; Baker&Taylor Company $539.29 Books; Baldwin Cooke $102.67 Supplies; Bomgaars $868.43 Supplies; Brosz Engineering $2,627.50 Dredging; Brule County Lumber $71.50 Supplies; BSN Sports $510 Supplies; Byre Brothers, Inc $2,269 Prof Serv; Card Services Center $4,055.49 Econ Dev; Central Dakota Times $1,051.51 Publish; Cengage Learning $242.14 Books; Center Point Large Print $93.48 Books; Central Electric Cooperative $1,612.19 Electric; Chamberlain Building Supply $598.96 Supplies; Chamberlain Food Center $52.74 Supplies; Chamberlain Napa $295.42 Supplies; Chamberlain Redi Mix $613.13 Repair; Chamberlain Wholesale Grocery $41.35 Supplies; Cook Implement $274.14 Prof Serv; Core&Main $357.13 Supplies; Cozine Electric $434.10 Maint; Cutler Lawfirm $1,375 Prof Serv; Dakota Milestones $203.46 Prof Serv; Dakota Pump&Control $2,683.91 Maint; Daryls Auto $3,500 Equip; Dredge America $329,460 Dredging; Edge Concrete&Construction $25,881.45 Impro Other; Environmental Toxicity Control $850 Prof Serv; Environmental Resource Assoc $199.33 Chemical; First Dakota $53,458.76 Principal; Foxcroft Equipment&Service $677.93 Supplies; Frontline Fire&Rescue $1,022.85 Prof Serv; Global Specialty Contractors $5,977 Repair; Guest Plumbing, Heating & AC $275 Prof Serv; H&H Electric & Motor Repair $2,590.50 Maint; Hach Company $53.95 Chemical; H&el,Jason $92 Travel; Hawkins $1,979.25 Chemical; Ingram Book Company $1,350.57 Books; Jacks Uniforms&Equipment $214.99 Supplies; JG Welding&Repair $118.08 Supplies; Kelsey, Kurt $192 Prof Serv; Kennebec Telephone Company $545.81 Supplies; Kimball Midwest $147.18 Supplies; Lyle Signs $102.04 Supplies; Mid States Supply Inc $2,616.54 Supplies; Midstate Communications $1,809.65 Phone; Midwest Fire&Safety $1,498.50 Prof Serv; Midwest Tape $233.08 Books; Myers Collison Center $110 Prof Serv; Nalco $459.25 Chemical; Northwest Pipe Fittings, Inc $1,082.26 Supplies; Northwestern Energy $19,059.81 Electric; Oasis Pump N Pak $332.93 Fuel; Office Products Center $70 Prof Serv; Old 16 Trading Post $42.51 Econ Dev; Opperman, Inc $1,339.25 Supplies; Petro Tech $180.20 Prof Serv; Quill Corporation $397.18 Supplies; Riverview Chevrolet Buick $230.49 Repair; Rons Service $163.79 Supplies; SD Department Of Revenue $600 Alcohol Licence; SD Dept Of Health $651 Prof Serv; S.E.H $23,441.42 Dredging; Servall Uniform/Linen Company $128 Supplies; Sioux Nation Ag Center $35.60 Animal Control; Spencer Quarries, Inc $25,336.77 Chips; SPN $2,000 Prof Serv; Sturdevants Auto Parts $249.16 Supplies; Subway $216.54 Econ Dev; The Library Store $384.68 Supplies; The Lodge At Deadwood $322 Travel; Traf-O-Teria System $199.24 Supplies; USA Softball Of SD $60 Prof Serv; Variety Plus $176.48 Supplies; Verizon Connect Fleet $266.93 Prof Serv; Water&Environmental Engineer $122 Chemical;**General Fund: Salaries: $ 62,545.26, Total $554,659.59; Economic Development : $1,286.58; Summer Recreation: $97.35; Softball: $536.25; Baseball: $328.78; Library: Salaries: $5,560.36; Total: $9,702.28; Water: Salaries: $11,660.75, Total: $42,188.21; Wastewater: Salaries: $13,999.01; Total: $24,262.27; Airport: $11,166.23.**

**Janet Petrak - SDSRA**

Motion by Thomas second by Ruhlman, all ayes and approved to close Courtland between King and the McDonald’s parking lot on June 26 between 10:00 AM and 4:00 PM for the SDSRA Car Show.

**Wellmark Parks Grant**

Commissioner Ruhlman informed the Council that she would like to apply for a Wellmark Foundation grant for new playground equipment. She went on to state that when she first looked at the City parks, she thought we needed to bring more playground equipment for younger kids. We found a dinosaur fossil playground set and would like to also apply for wood chips and edging. This playground would be constructed behind Saukerson field with the current dinosaur park and she has spoken with Nancy Nelson who is also very excited and in support of this. The grant is eligible up to $25,000 with a required $25,000 matching funds from the City. Commissioner Ruhlman showed the Council the proposed park equipment and added that the total amount of this would be around $50,000 with delivery and installation. She added that we are hoping to apply for a Barger Foundation grant next year to help off-set the matching funds.

Mayor Mutziger stated that when parents have an older child and a younger child, there may be nothing to keep them all there and entertained.

Ruhlman stated that the playground equipment is rated for ages 2 to 12.

Motion by Claussen second by Soulek, all ayes and approved to allow Ruhlman to proceed with the Wellmark grant application with a potential cost share to the City up to $25,000.

**Second Reading – Ordinance No. 562H – Amend Zoning for Smokey Groves**

Powell reported that there have been no additional changes to the ordinance since the first reading.

Motion by Claussen second by Soulek, all aye sand approved the second reading of Ordinance No 562H at 6:20 PM.

**Schedule Public Hearing – Todd VandenBosch, Variance Request**

Motion by Soulek second by Ruhlman, all ayes and approved to schedule a public hearing at 6:35 PM on June 7th for a variance request from Todd VandenBosch at 228 W. 11th Avenue on the side setbacks.

He would like to construct within 10’ of his property line on River street and 2’ on the side street.

Powell explained it is a 50-foot lot that VendenBosch would like to construct a house on.

**Schedule Public Hearing – Ordinance No. 642 – Temporary Ordinance Regarding Issuance of Local Medical Cannabis Establishment**

Motion by Ruhlman second by Soulek, all ayes and approved to schedule a joint public hearing on June 7 at 6:45 PM with the Planning and Zoning Board on the first reading of Ordinance No. 642 regarding the issuance of local medical cannabis establishments.

**Public Hearing – Malt Beverage License Application – River City Grill**

Motion by Claussen second by Soulek, all ayes and approved to open a hearing at 6:15 PM for a new malt beverage license application from Schoeney & Doney, River City Grill.

Schoenhard informed the Council that he will be constructing a fenced in eating area with tables and seating and an awning that will extend from the existing pool house on the hotel that will cover his smoker and serving area. They are planning on this being more like a tiki like bar. He added that there used to be an arcade in the pool house that is where he plans on eventually constructing a kitchen and bar area.

Discussion was held on setbacks and what he would be able to do with fencing and an awning.

Schoenhard added that the fence will be removable as they plan on taking it down during hunting season for the extra parking.

Mayor Mutziger asked if all of the seating will be outside and Schoenhard stated that yes it will be.

The awning will come out 10’ and will be a permanent awning. Schoenhard added that they plan on removing the blacktop in that area and putting concrete in.

Mayor Mutziger asked if their vision is to get away from the food truck model and Schoenhard stated that yes, they want brick and mortar but also want to operate more as an outdoor restaurant. The hours will be approximately 4:00PM to 8:00 or 9:00 PM and he noted that because of the hotel, they will not stay open late and have to keep the noise down.

Discussion was held on the legal description on the application and it was noted that it is for the entire property that the hotel and parking sit’s on. Powell stated that there could be problems with people taking open containers out of the fenced in area and Schonehard stated that yes, they could take a cup of beer to their rooms. Gaulke pointed out that the license includes off-sale also, so they can sell unopened malt beverages to their hotel customers. Powell updated the legal description to include part of the pool house and the black top area where they plan on having the sit down fenced in area.

Motion by Thomas second by Ruhlman, all ayes and approved to close a hearing at 6:26 PM.

Motion by Soulek second by Thomas, all ayes and approved the following on-off sale malt beverage license application: Schoeney & Doney, LLC, River City Grill at the East ½ of RR RW located between, Block 64, Second Addition Chamberlain.

**Dredge Report**

Powell reported that they have started phase 2 and will be done under the slips by Memorial weekend. Because of the rocks on the north side of the marina, Powell has changed the plans to clear out more debris to the east of the docks. Powell added that they are pumping a lot of sand and this dredge works way better than the one 10 years ago.

**Swenson Lots**

Jim Swenson has asked the City if they are interested in purchasing Lot 25 and 24 except the South Ten feet of Block 45, Third Addition for a total of $4,000. It was noted that this property is a draw that is east of the Northwestern Energy substation on Prospect. Swenson informed the Council that he had purchased the property to dump fill from the property he owns by the A&W Building on King Avenue but he has since sold that property.

Powell noted that once Dave Schelle is no longer taking fill anymore, we have nowhere for people to take their rubble. Powell added that this is the perfect place for it. Swenson paid $2,025 for each lot and is asking the City for $4,000.

Mayor Mutziger asked Powell how many years he thinks it will be before Dave Schelle is no longer taking any and Powell noted maybe three or four. Mayor Mutziger went on to state that the reason we started taking the rubble was because we wanted to fill the hole by water plant but asked if we as a City need to have a rubble site?

Powell stated that no it’s not our responsibility.

Commissioner Thomas asked if we would have to put culverts in there and Greg stated that yes we would. He added that there is currently one there now but if we do fill there it would have to be updated.

Powell then informed the Council that Swenson owns the property across the street where Weathercraft used to be. Swenson is asking the City to sell him a 15’ strip on the street side of his property that the City was given from the railroad.

The Council would like to see these properties and would like to table the discussion until they have a chance to look it over.

Motion by Thomas second by Ruhlman, all ayes and approved to table this discussion until the June 7th meeting.

**SD DOT – CRF Airport Grant**

Motion by Soulek second by Thomas, all ayes and approved Mayor Mutziger to execute the grant agreement with the South Dakota Department of Transportation 2021 Coronavirus Response and Relief Appropriate Act grant not to exceed $13,000.

**Gary Feltman Deed**

Powell stated that we have a deed for Gary Feltman which was done to clear up a trade of land with Gary following the transfer of SD-DOT lease/railroad properties. The City informed the SD-DOT of the trade but they did not transfer the strip of land to Gary Feltman. Powell noted that it is a strip of ground approximately 75’ x 300’. Powell noted that we have one old junk dirt pile that is still on this property.

Moton by Thomas second by Claussen, all ayes and approved to deed the following to Gary Feltman: Lot R-4, Railroad Second Addition to the City of Chamberlain a Subdivision of the SW ¼ of Section 14, T104N, R71W of the 5th P.M., Brule County, South Dakota.

**CMS Explorers Donation Presentation**

The Council was reminded that the CMS Explorers would like to present a donation to the City of Chamberlain at McDonalds on May 18th at 8:00 AM.

**Swimming Pool**

Powell reported that we paid a $5,900 bill to Global Specialty Contractors to repair the plaster in the swim pool. Powell noted that when they built the pool they poured concrete and then put down a bonding agent and then plaster over that. For some reason the bonding agent failed and blew out a plastered area of 10’ x 50’.

The people that build the pool came in and fixed it for us and Powell has also hired Mike Ostbye to fix a bunch of tile work that is coming loose also.

Global left us 2 bags of bonding agent and 2 bags of plaster so we can fix it ourselves if it happens again.

**Library American Rescue Plan Grant**

Gaulke reported that the library would like to apply for up to $100,000 grant for the American Rescue Plan COVID funds. The funds do have guidelines such as technology and remote access learning. The application is due this week and they just got it late last week, so Librarian Melissa Hutmacher has asked for permission to apply for the grant with approval from the library board on what the funds will be requested for. There is no required matching funds on this grant. The Council agreed that the library board could approve the application requests.

Motion by Ruhlman second by Soulek, all ayes and approved the Cozard Library to apply for the American Rescue Plan COVID funds with the library board approving the grant application requests.

**Other Matters**

Powell stated that he spoke with Woody Tigelar about whether SD Walleyes would be willing to help us fund the cleaning station. Powell noted that we are successful on some Barger funds, but on the GFP grant, they will not be making any decisions until 2022 so he is suggesting we forego that grant request as buildings are not eligible for that grant and we need the cleaning station prior to 2022. The Council agreed to this.

**Senior SKIP Day**

Mayor Mutziger reported that we had the Senior SKIP day on June 7th. John Hanig’s daughter face-timed with the students thanking them for painting the home. Students also helped at the swim pool, painting playground equipment and trimming trees and cleaning up the property around the armory and avenue of flags.

Commissioner Thomas asked about when we will be opening up the road through Smokey Groves. Mayor Mutziger stated he would like to do a ribbon cutting at 5:30 on June 7th.

Motion by Soulek second by Ruhlman, all ayes and approved to start the meeting on June 7th on Byron Boulevard on the hospital side at 5:30 PM and then moving back to City Offices for the remainder of the meeting.

**Adjourn**

Motion by Ruhlman second by Soulek, all ayes and approved to adjourn at 7:07 PM.

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Chad Mutziger, Mayor

Attest:

*SEAL*

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Nicky Gaulke, Finance Officer

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