**CHAMBERLAIN CITY COMMISSION**

**​May 16, 2022**

The Chamberlain City Commission held their second regular meeting on May 16, 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 Thomas second by Soulek, all ayes and approved the agenda with the addition of the Chamber of Commerce fireworks.

**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 Soulek second by Thomas, all ayes and approved the following bills:

A&R Truck Equipment $68.77 Supplies; Ace Hardware $339.35 Supplies: Aqua-Pure Inc $12,852.77 Chemicals; AT&T $258.16 Phone; Aurora-Brule Rural Water $77 Water; Baker & Taylor Company $927.17 Books; Barco Municipal Products $838.08 Supplies; Bierschbach Equipment & Supply $21.45 Supplies; Bomgaars $741.35 Supplies; Brooks Applied Labs $550 Supplies; Brule County Abstract Co, Inc $250 Prof Serv; Brule County Lumber $3,069.98 Supplies; Burke Oil Company $2,771.71 Fuel; Byre Brothers, Inc $2,969 Prof Serv; C&B Operations $59.94 Supplies; Carswap $32.51 Supplies; Card Services Center $3,404.22 Supplies; Cengage Learning $239.20 Books; Central Dakota Times $1,120.33 Publish; Central Electric Cooperative $1,717.09 Electric; Chamberlain Building Supply $965.95 Supplies; Chamberlain Food Center $143.23 Econ Dev; Chamberlain Napa $19.32 Supplies; Chamberlain Pool $300 Pool Fees; Chamberlain Redi Mix $2,023 Buildings; Chamberlain Wholesale Grocery $1,020.60 Supplies; City Of Chamberlain $219.35 Supplies; Communications Center $39 Prof Serv; Cook Implement $120 Supplies; Core & Main $637.58 Supplies; Cozine Electric $739.30 Supplies; Cutler Lawfirm $1,820 Prof Serv; Dakota Milestones $523.57 Prof Serv; Degen, Julie $1,200  Signs; Demco $336.24 Supplies; Dollar General $3.20 Supplies; Donaldson Ditching $1,198.98 Buildings; Fedex $45.05 Prof Serv; Hach Company $806.75 Supplies; Hawkins $3,132.16 Chemicals; Handel,Jason $143.01 Travel; Hickey Funeral Home $3,000 Prof Serv; Hickey Heating & A/C $318.21 Bldg Repair; Hillyard/Sioux Falls $269.48 Supplies; Ingram Book Company $2,678.04 Books; Jasper Engineering & Equip Co $2,716.35 Maint; JG Welding & Repair $162.39 Supplies; Kelsey, Kurt $192 Prof Serv; King Street Garage $236.75 Maint; Landegent,Catland $207.48 Travel; Maxwell Food Equipment $725.78 Supplies; Midstate Communications $2,900.82 Phone; Mitchell Parks & Recreation $229.50 Prof Serv; North Western Energy $24,173.36 Electric; Northwest Pipe Fittings, Inc $919.12 Maint; Oasis Pump N Pak $231.40 Fuel; Office Products Center $1,145 Supplies; Pressure Washer Specialist $2,500 Machinery; Productivity Plus Account $910.40 Maint; Quill Corporation $45.99 Supplies; Same Day Express, Inc $60 Prof Serv; SD Department Of Revenue $675 Alcohol Licence; SD Dept Of Environment&Natural $25.74 Supplies; SD Dept Of Health $1,172 Prof Serv; S.E.H $7,768.02 Prof Serv; Servall Uniform/Linen Company $86.62 Prof Serv; Shields Embroidery & Design $486 Supplies; South Dakota State Archives $160 Prof Serv; Spencer Quarries $17,333.62 Sand/Gravel/Chips; Sturdevants Auto Parts $87.75 Supplies; Subway $175.15 Econ Dev; The Library Store $358.66 Supplies; Total Control $6,160 Maint; Tri-County Landfill $296.34 Econ Dev; Van Diest Supply Company $3,074.75 Supplies; Variety Plus $116.67 Supplies; Verizon Wireless $160.93 Phone;**General Fund: Salaries: $63,711.15; Total $122,497.47; Econ Dev: $5497.48; Summer Rec: $19.12; Softball: $634.74; Baseball: $640.64; Library: Salaries: $5,158.34; Total: 13,780.68; Water: Salaries: $12,253; Total: $33,930.01; Wastewater: Salaries: $14,402.84; Total: $39,489.93; Airport: $8,539.25.**

**Silver Dollar Bar – Alumni Dance**

Angela Zeman of the Silver Dollar presented an event application for the annual Alumni Street Dance on July 9, 2022. Zeman noted that everything will be the same as last year with the City helping with fencing, flat beds, trash cans, picnic tables, etc. Zeman went on to note that River City Friday Nights now has bigger bands and with it being the night before her dance, it affects her attendance. She went on to state that she has been doing this dance for thirty years and she pays for the band, also noting it is not a big money maker for her. She added that she wants to make enough money to pay for the band.
Mayor Mutziger stated that we can also reach out to the River City Friday Nights Board about working with Zeman on the alumni weekend.

**Don Deboer and Jim Killian– Water Issues**

Don Deboer addressed the Council stating that he has been in contact with the City about the water issues that he and his son-in-law, Jim Killian, are having on their properties. He noted that it is having a negative impact to their property and has caused a large amount of damage. He went on to stated that if this water is coming from the east then it is also running under Club Street, VanAntwerp, Martin, K and an alley. He added that the City may not see it yet, but we will have problems with these streets also because of this excess water.

Deboer went on to say that last fall when the water just kept coming, the city even had to go plug the culvert through the alley. They then had a 30-40’ patch of ice on the street two or three different times He said that Street Superintendent Kevin Olesen dug out the culvert and then it filled with ice and the water went across the street. Deboer said there is now a large hole there and a kid could hit it on a bike and get hurt.

He stated that his son-in-law has spent tens of thousands on this by adding several sump pumps and even sealing the walls in his basement, but still is having problems with this water. Deboer said that he has not had damage to his home, but he does have standing water in his yard behind his house.

Terrance Hickey stated that Killian even put a French drain in his home and it has not resolved the problem.

Deboer stated that he visited with Mike Laurtisen about months ago but has gotten no response since then. He said he was told by Clint Soulek and Tim Thomas that it was a civil matter. He went on to ask if anyone cares what is happening here? He even found a deer stuck in the mud in his backyard, where does he go from here?

Lauritsen stated that Rural Water came up and listened for a leak and heard water so we dug but it wasn’t a leak in one of our lines.

Commissioner Ruhlman stated that its an issue between Deboer/Killian and the other property owner.

Deboer stated that they have not contacted them but a second party has. He stated that she is not happy with the City but they could try and make arrangements through a second party to speak with them. He went on to ask about the City property and that if the City fixes the problem being caused to the streets, then it will fix the problem for them.

Doug Nelson said that when the Butlers owned it they were running the water onto Iverson’s property and he thought they were required to run it to the south.

Deboer stated that when it was first built it did go to the north and the Iversons did not like it so they dug a discharge line. There are now two ponds and they suspect that it hits the second pond and there is a leak and it gets through the gravel. He added that on those wells, valves go bad and it has the potential to release thirty gallons per minute.

Mayor Mutziger stated that the City has made several attempts at locating the source of this water.

Deboer stated that the City pumped that pond dry a few years ago and it seemed to stop the water; he went on to ask if we could do that again.

Commissioner Ruhlman stated that it is easy to say who is liable, but we don’t know the source.

Deboer stated that he does not know the new owners of this property, but he has heard they are good people and this is by no means an intentional act. He went on to ask if the City could test the output of the water but it was noted that this is almost impossible because the water is filtered through sand and gravel.

Terrance Hickey stated that since Rural Water did not find the source, could the City hire the company from Montana that found that leak over on Glenn Avenue by the Marina. He noted that he knows they cost a lot of money but maybe that is what we need to do.

Killian stated that their floors are buckeling along with many other problems and we need to fix this now or it will continue to damage their property.

It was noted that the current owner has asked the City Administrator to stay off of their property after he spoke with them about this issue.

Deboer asked if there was a way that we can mend fences and communicate with them to get permission to drain the pond?

Commissioner Ruhlman noted that his is all speculation that this pond is the source of the excess water.

Killian stated that the last time we drained that pond their property was dry.

Mayor Mutziger and Commissioner Soulek will attempt to contact the property owners and ask for permission to drain the pond again.

**2021 Audit**

Motion by Ruhlman second by Soulek, all ayes and approved the contract with Schoenfish and Schoenfish to conduct the 2021 annual audit.

**Police Hires**

Motion by Ruhlman second by Soulek, all ayes and approved to hire the following as police officers: Skyler Poppen at $23.87/hour and Travis Valdex at $20.33/hour with an increase to $22.00/hour if he successfully passes the reciprocity test.

**Greig Field**

A street light pole fell over at the entrance to the Greig Field baseball complex and the Council agreed that we needed to replace the pole.

**Chamber of Commerce – Fireworks**

Teryn Reidt, Chamber Director, informed the Council that they are raising funds for the annual July 4th fireworks show. They are hoping to raise $15,000 so they can increase the show from $12,500 to $15,000 next year. Reidt went on to ask the City to contribute towards the fireworks. Motion by Ruhlman second by Soulek, all ayes and approved to contribute $2,500 towards the July 4th fireworks.

**Administrator Report**

Lauritsen reported that Midco inspected the water tower for the possible leak but did not find one. They did some sealant work while they were here.

They are currently working on a community access grant again to pave Byron Boulevard

Lauritsen gave an update on the highway 50 road construction project.

A grinder pump needs to be replaced at lift station number three at a cost of $31,000. Lauritsen stated that we will wait until closer to the end of the year to do this to see how we are sitting with our budget.

**Police Report**

Chief Handel reported that John Hauggard will complete the LET training and should be back on shift by June 6th. This is also the same day that new Officer Travis Valdez will start working. Officer James Poppen will start on July 1st.

**Parks**

Commissioner Ruhlman stated that the playground we go through the Wellmark and Barger grants has been installed and they are waiting for the woodchips to complete it.

Ruhlman went on to state that the group that raised funds for the Mosasaur that is in the park have purchased a new dinosaur and will also pay for the concrete work to place it on.

Commissioner Soulek stated that when the Veterans park was constructed, the City didn’t do anything for them.

Ruhlman stated that the City donated that land for their park.

Doug Nelson stated that this dinosaur park is not City funded.

Soulek asked for how long? He added that obviously nobody wants this park if there have been no donations made for it.

Mayor Mutziger stated that the City Council voted to let this park to be put in at Saukerson park.

Commissioner Soulek stated that he got jumped about this new dinosaur without even knowing that we had received it.

Commissioner Ruhlman stated that if we had had this meeting on Monday like normal, the Council would have been told. She added that she has the specs and the information on this dinosaur available tonight for everyone to review.

Commissioner Soulek asked why we are putting more into this park when Ruhlman was approached about putting a playground in at Greig Field and she told this person that there were no funds available.
Commissioner Ruhlman stated that she does not recall this conversation but added that the playground was funded through two grants and this new dinosaur was donated to the City.

Mayor Mutziger stated that this is a positive thing and that some people may not agree but some people also don’t agree with the money we put into the swim pool, or rec programs, and many other things.

Doug Nelson stated that he will write the check for the concrete to place this dinosaur.

Nancy Nelson stated that she is to blame because she had been looking at dinosaurs and this one came on sale and was a great deal so she just ordered it. She added that with the mosasaur it took months to receive it and we go this one in a week and a half. She apologized again and stated that we have it so now we need to know where we can put it.

Commissioner Thomas stated that when Doug nelson was Mayor, he tried to stop them from building the Veterans Park where it is. He added that Nelson was giving them alternate locations and when they wouldn’t agree to this he told them that the City was not contributing to this park and it needed to all be done with donations and volunteers.

Commissioner Ruhlman stated that she is sorry that that’s how it went when they constructed their park, but that doesn’t have to be the model.

Nancy Nelson apologized and stated that obviously you are holding a grudge against her husband who was the Mayor at the time. She stated that their intention was never to have the dinosaur park where the veterans park is located, that they want to bring the people into the town. She added that she believes people love dinosaurs and she went over some other dinosaur parks in South Dakota and other states that have a large number of visitors.

Mayor Mutziger stated that he does not think it will draw a lot of people but he does think it is a benefit and it will get used.

Nancy Nelson stated that Soulek had said that nobody shows up with money for this park and she stated that she did not go through the work to raise funds because she had some medical problems and then COVID hit but she will reach out now for donations.

Mayor Mutziger stated that we have received two beautiful gifts from this group and we should be excited.

Commissioner Ruhlman stated that she did not realize it was going to be such a big deal that this dinosaur showed up without the rest of the Council knowing and she will make sure to individually call everyone and let them know if something like this happens again.

Commissioner Thomas stated that it makes them look stupid that they did not know about this. He did add that he will be taking his grandkids to this park.

Commissioner Ruhlman stated that she just wants collaboration and harmony.

Mayor Mutziger stated that the Veterans Park was a gift to this community as is this Dinosaur Park.

**Executive Session –Legal Matter**

Motion by Soulek second by Ruhlman, all ayes and approved to enter executive session at 7:17 PM to discuss personnel and a legal matter.

Motion by Thomas second by Soulek, all ayes and approved to exit executive session at 7:51 PM.

**Adjourn**

Motion by Thomas second by Soulek, all ayes and approved to adjourn at 7:52 PM.

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Chad Mutziger, Mayor

​Attest:

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Nicky Gaulke, Finance Officer

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