**CHAMBERLAIN CITY COMMISSION**

**​July 6, 2020**

The Chamberlain City Commission held their first regular meeting on July 6, at 6:00 PM.

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

Absent: None.

**Pledge of Allegiance**

**Adopt Agenda**

Motion by Thomas second by Ruhlman, all ayes and approved the agenda with the addition of scheduling a hearing for a temporary malt beverage license application, Northwestern Energy power outages, welcome to Chamberlain sign, and address City Council meeting location.

**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 and the special meeting on 26th.

**Public Comments**

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

**Bills**

​Motion by Soulek second by Ruhlman, all ayes, approved to pay the following bills: American Family Life $240.60 Salaries; City of Chamberlain $125.97 Supplies; SD Supplemental Retirement $430 Salaries; South Dakota Retirement System $10,248.30 Retire; Standard Insurance Company $160.36; Adams Agency $5,074.70; Chamberlain Chamber of Commerce $3,200 econ. dvlpt; Jason Handel $45 phone; Hrabe Flying Service $900 Prof Serv; Lake Francis Case Development $4,250 econ dvlpt; Lamie, Kimberly $600 Prof Serv; Kevin Olesen $45 phone; Wellmark $16,680.41 Insurance; SD Dept of Revenue $150 malt license; Payroll Tax Payment $20,163.45; Brule County Abstract $232.96; Breit & Boomsma $299.66; Central Storage $80; Card Services $98.11; Edge Concrete $2,231.76; First National Bank $14,908.07; First Dakota $53,458.76, Hamiel David $250; Kennebec Telephone $1,395.68; R&B Property Services $825.

**Rodeo Club Request for Funds**

Shane Reis of the Chamberlain Rodeo Club requested that the City consider contributing towards their annual 4-H Rodeo. This year it will be a two-day rodeo and will be held this coming weekend. They are asking for $2,500. Kennebec usually hold theirs on the Sunday after ours but they have asked Chamberlain to just do it for two days. Reis stated that they will still have a few sponsors but they have lost quiet a few.

Marty Michalek had said that with sponsors, their cash on hand and if they City contributes the $2,500 they still project that they will be short $1,000 to run this rodeo. They are considering asking if businesses will give towards prizes to the participants. Reis said that they estimate approximately 200 people will be in attendance.

Mayor Mutziger stated that rodeo is agriculture and it’s a main part of Chamberlain so he thinks it is a good thing for our community. He added that they haven’t asked for funds in many years.

Motion by Thomas second by Ruhlman, all ayes and approved a $3,000 donation to the Chamberlain Rodeo Club towards the 4-H Rodeo.

**SDML Elected Officials Workshop**

The SDML elected officials workshop is scheduled for September 2nd. It is a one-day workshop and Commissioner Soulek would possibly like to attend. The City covers registration, mileage and meals for employees attending these, and it was agreed that this applies to the City Council/Mayor also.

**Chamber of Commerce**

Angela Hanzlik of the Chamber of Commerce addressed the Council concerning the 2020 July 4th celebration. She stated that in the donation buckets, they collected $875 and received $1,388 in envelope donations. They also asked businesses and received an additional $4,525 from them. With Oacomas donation of $2,000 and Chamberlains $2,5000 they are asking for, their total collected will be $11,288 leaving them only $1,211 short which they are hoping to get in more envelope payments.

Motion by Ruhlman second by Claussen, all ayes and approved to contribute $2,500 towards the 2020 July 4th show.

Hanzlik stated that in the past, they had asked the Chamberlain and Oacoma to prepay in advance for the fireworks and then they would reimburse us. She noted that they did the prepay themselves last fall and plan on continuing to do so as it is easier and less confusing.

Mayor Mutziger stated that he had a conversation with Gary Dominiack about the two communities possibly splitting the budgeted amount each year rather than every other year but since the Chamber wants to just prepay it, we will let them.

**Public Hearing – Temporary Malt Beverage License**

Motion by Soulek second by Claussen, all ayes and approved to open the public hearing at 6:10 PM for a temporary malt beverage license to Charly’s Bar and Grill on July 18 at the Chamberlain Community Center for the Cole Hickey Memorial Fish Tourney.

With no further discussion, motion by Thomas second by Soulek, all ayes and approved to close the hearing at 6:11 PM.

Motion by Soulek second by Claussen, all ayes and approved the temporary malt beverage license to Charly’s Bar and Grill on July 18th at the Chamberlain Community Center.

**Landegent Plat**

Powell noted that we were presented a plat for property that is within the three-mile City approval requirement. Catland Landegent is purchasing a lot adjacent to his property and has had it re-platted to make it all one lot.

Motion by Thomas second by Claussen, all ayes and approved contingent upon Planning and Zoning Board approval, the following plat which is within three miles of the City: A plat of Tract A of Landegent Addition in the SW ¼ of the SD ¼ of Section 28, T 104 N, R 71 W of the 5th P.M.

**Grant Procurement Policy**

Gaulke presented the Council with a grant procurement policy and stated that it is pretty standard and we used the City of Hot Springs’s policy as a template. Motion by Ruhlman second by Soulek, all ayes and approved the grant procurement policy. (on file)

**Resolution 2020-01 – COVID Grant**

Motion by Soulek second by Thomas, all ayes and approved the following Resolution #2020-01:

**City of Chamberlain**

**Resolution Number 2020-01**

**A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECIEPT OF CARES ACT FUNDS TO ADDRESS THE**

**COVID-19 PUBLIC HEALTH CRISIS**

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Chamberlain acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, the City of Chamberlain acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Chamberlain seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Chamberlain acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Chamberlain most recently approved as of March 27, 2020; and

WHEREAS, the City of Chamberlain acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Chamberlain that the Mayor of Chamberlainmay execute any and all documents as required by the State in order to receive CARES Act funds.

It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further

RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

Approved and adopted this 6 day of July, 2020.

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 Chad Mutziger, Mayor

 City of Chamberlain, South Dakota

ATTEST:

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Nicky Gaulke, Finance Officer

City of Chamberlain, South Dakota

**COVID Recovery Fund Reimbursement Agreement**

Motion by Ruhlman second by Soulek, all ayes and approved the Mayor to execute the COVID Recovery Fund Reimbursement Agreement.

**Event Application – Speckels Wedding**

The City had previously approved an event application for the Speckels wedding on June 20th located at 1000 River Street which is private property. Because of COVID, they have moved the wedding date back to August 15th and have asked that the City approve another event application with no changes other than the date of the event. They have also applied for a second application which would be a backup plan depending on weather to go into the Community Center.

Motion by Claussen second by Thomas, all ayes and approved the Speckels wedding special event application as it was applied for before with the only change being the date to August 15th and to also approve the backup application for the community center with applicable fees.

**2021 Budget Requests**

Motion by Claussen second by Ruhlman, all ayes and approved to schedule the 2021 budget requests for August 3.

**Schedule Conditional Use Hearings**

Motion by Soulek second by Ruhlman, all ayes approved to schedule a public hearing on August 3rd at 6:20 PM for Mr. Morey Monk’s request for a conditional use to add a third living quarters on a duplex, at 213 lakeview Dr., Chamberlain, SD. The legal description of the property is Lot 5, Block 4, Night Martin Addition.

Motion by Soulek second by Ruhlman, all ayes approved to schedule a public hearing on August 3rd at 6:30 PM for Theresa Maule’s request for a conditional use for a residential dwelling, at 120 North Main Street, Chamberlain, SD. The legal description of the property is the West 74 of lot 15, Block 10, Original Town.

**West Nile Grant**

The City was awarded a $2,499 grant from the State of South Dakota to go towards mosquito expenses.

**Jeff Priebe – 6 Month Probationary**

Powell stated that Jeff Priebe has successfully completed his six-month probation with the Street Department. Powell went on to say that he has done a good job and he recommends taking him off probation. Motion by Soulek second by Claussen all ayes and approved Jeff Priebe to receive a $500 raise for successfully completing his six-month probation.

**Water Achievement Award**

The City of Chamberlain and our water/wastewater plant operators received an award for operating without any violations in the year 2019.

**School Resource Officer Contract**

Handel stated that we increased the school resource officer contract by 3% as to match the raise in last years City budget. The schools portion is $36,960 and they pay us quarterly.

Motion by Ruhlman second by Thomas, all ayes and approved the school resource officer contract for the upcoming 2020-2021 school year.

**Cedar Heights Lot Sale**

Motion by Thomas second by Soulek, all ayes and approved the sale of Lot 12R, Block 4, Cedar Heights Second Addition at the appraised value of $7,500.

**Welcome to Chamberlain Sign**

Powell stated that he and Commissioner Thomas had a meeting with Phillip from the colony about colors for the sign. Thiel’s will be painting it as they can do it cheaper than we can even purchase the paint for.

Three options were presented with the base color being either a gold, red or blue. It was noted that with the colors of the pheasant and the fish, we didn’t have a lot of options that worked for the base color.

Commissioner Ruhlman asked if we could we do light blue like the chamber is using? Powell stated that it didn’t look right with the fish. It was asked if we could leave it unpainted but it was noted that it will rust.

Powell stated that we need to get the color picked because Thiel’s wants to get it painted and out of their way.

The majority of the Council agreed on the blue sign. Commissioner Ruhlman expressed that she doesn’t like it, but really doesn’t have a choice.

It was asked if we could just clear coat it and Powell stated that he wasn’t sure.

**Demo Derby – July 25th**

Deb Ruiz of Ty Racing is requesting a temporary one-day license to sell beer at her three scheduled events. Powell noted that it’s on City property so they are allowed to do a one day. The Council asked about security guards and Powell stated that the event applications shows two people, Scott Nice and Dustin Court. It was noted that with alcohol, they should probably have a minimum of 5 for security because of the area covered and potential number of people that could be in attendance.

Motion by Soulek second by Thomas, all ayes and approved to schedule a public hearing on July 20 at 6:10 for the following temporary malt beverage license applications: Temporary one day license on July 25, September 19, October 3 to TY Racing Motorsports for retail on sale malt beverage at the SW ¼, S ½, NE ¼, SW ¼ of Section 27- T 104- R 71, Chamberlain SD.

**City Council Meetings**

The Council agreed that we can move our regular City Council meetings back to the City Offices Council Chambers and if we project to have a larger group coming, we can come back to the Community Center.

**Northwestern Energy**

Mayor Mutziger stated that on Saturday Chamberlain had no power for close to an hour and on Sunday, certain parts of Chamberlain were out for four hours. Mayor Mutziger added that this does affect residential, but the commercial is losing out on a lot of sales when they are out of power like this.

He spoke with the South Dakota Public Utilities Commission(SDPUC) and was told that we need to submit an informal complaint so Powell did this on their website.

Mayor Mutziger recommends that if anyone has a complaint in our community to file that complaint with SD Public Utilities Commission. He added that we had two gentlemen here form Northwestern last year addressing these concerns already. He also spoke with Angela of the Chamber and asked her to poll our business district asking what impact it had on their businesses while the service was out.

We need to schedule a meeting with Northwestern, the SDPUC and our business district and also one with our residential property owners. He added that there will be a discussion and investigation into this.

Hanzlik stated that she got a call from the owner of the fireworks store and the outages were right after the parade and again on his last day to sell legally in SD. We understand that outages happen but these were critical times for it to happen for our community.

Powell stated that the flickering of the power is also very hard on equipment, coolers, tills, etc.

The City lost another drive at the water plant after the outage on Saturday. This drive controls the motors at the plant and it costs a good amount of money to replace.

Powell went on to say that 20 years ago, we didn’t even have a generator because the power was never out more than an hour and now we are pulling generators and setting them up because we have no idea how long its all going to last. We are currently looking in to costs to place permanent generators at our lift stations so we don’t have to haul and set up every time we have an outage.

**Engineer Report**

The police officers will help identify street lights that are either not coming on or staying on so Powell can get them fixed.

Powell will be meeting with insurance adjuster tomorrow about city property damaged. He noted that he is not sure if there was paint damage to the ½ million-gallon water tank and we need to inspect that also.

Street employees are patching streets getting ready for chip seal on July 27th.

There was a mistake and all of the flowers at the cemetery got removed, including the ones in pots or vases that we usually leave there. Powell noted that we always save them and label them by block so we still have them and people just need to contact us and they can get their flowers.

**Police Report**

Chief Handel presented the police report and stated that we had a good July 4th holiday.

**Other Matters**

Commissioner Claussen asked if the City could do some sort of appreciation dinner for the fire department. It was noted that it should probably be for all first responders.

Commissioner Claussen stated that if use city funds, we shouldn’t have any complaints for something like this.

Mayor Mutziger stated that he thinks it is a good idea and he would volunteer his services.

Commissioner Soulek stated that Chamberlain is hosting the State Junior Teener baseball tourney from July 17th through the 19th.

Mayor Mutziger stated that a majority of the teams are traveling a ways so a lot of them will be staying here.

Commissioner Thomas stated that their Veterans Park July 4th hot dog feed went well and wanted to thank the City for their help.

Commissioner Ruhlman added that the parade that Amy Goodman and Doug Dozark organized was a good one and she wanted to give them kudos for putting that event on also.

**Adjourn**

Motion by Ruhlman second by Thomas, all ayes and approved to adjourn at 7:08 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 \_\_\_\_\_\_\_\_\_\_.