

**MOBRIDGE CITY COUNCIL  
REGULAR MEETING  
July 14, 2020**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Tuesday, July 14, 2020 at 5:30 PM. Mayor Gene Cox, City Administrator/Finance Officer Heather Beck and the following council persons were present: Mound, Landreaux, Reichert, O'Connell, Yellow Boy and Carlson.

**AGENDA:**

The agenda was approved on a motion by Yellow Boy, second by Reichert and carried.

**MINUTES:**

Moved by Yellow Boy, second by Mound and carried, to approve the minutes from the June 9, 2020 regular meeting. Moved by Mound, second by Carlson and carried, to approve the minutes from the June 15, 2020 special meeting. Moved by Reichert, second by Mound and carried, to approve the minutes from the June 24, 2020 special meeting. Yellow Boy and Carlson abstained.

**OLD BUSINESS:**

**2<sup>ND</sup> READING ORD. 985** – Moved by Yellow Boy, second by Mound and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 985, an ordinance approving the official zoning map of the City of Mobridge.

**ORDINANCE NO. 985**

**AN ORDINANCE ENTITLED: AN ORDINANCE APPROVING THE OFFICIAL ZONING MAP  
OF THE CITY OF MOBRIDGE**

BE IT ORDAINED by the City of Mobridge, South Dakota:

That pursuant to SDCL 11-6-1 the Official Zoning Map of the City of Mobridge, South Dakota as amended and as presented is hereby approved.

Said Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Finance Officer and bear the seal of the City under the following words:

"This is to certify that this is the Official Zoning District Map of Ordinance No. 985 of the City of Mobridge, Walworth County, South Dakota effective as of the 10<sup>th</sup> day of August, 2020."

**2<sup>ND</sup> READING ORD. 986** – Moved by Yellow Boy, second by Mound and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 986, an ordinance adding general commercial permitted uses to the permitted uses of highway commercial zoned areas.

**ORDINANCE NO. 985**

**AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH  
DAKOTA ADDING GENERAL COMMERCIAL PERMITTED USES TO THE PERMITTED USES  
OF HIGHWAY COMMERCIAL ZONED AREAS BY AMENDING 13.02 OF TITLE 13 OF THE  
ZONING ORDINANCES OF THE CITY OF MOBRIDGE**

**BE IT ORDAINED** by the City of Mobridge, South Dakota:

That there shall be added to Title 13, 13.02 Permitted Uses, 1. Principal Uses the following:

P. All Principal uses as set forth in General Commercial Zoned areas as defined in TITLE 12, 12.02 Permitted Uses, 1. Principal Uses.

**BE IT FURTHER ORDAINED** by the City of Mobridge, South Dakota:

That there shall be added to Title 13, 13.02 Permitted Uses, 2. Conditional Uses the following:

B. All Conditional Uses as set forth in General Commercial Zoned areas as defined in TITLE 12, 12.02 Permitted Uses, 2. Conditional Uses.

**2<sup>nd</sup> READING ORD. 987** – Moved by Reichert, second by Yellow Boy and carried, to approve the 2<sup>nd</sup> reading of Ordinance No. 987, an ordinance to codify Mobridge zoning ordinances and amendments.

**ORDINANCE NO. 987**

**AN ORDINANCE ENTITLED: AN ORDINANCE TO CODIFY MOBRIDGE ZONING ORDINANCES AND AMENDMENTS**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOBRIDGE:

SECTION 1. There is hereby adopted a codification of the Zoning Ordinances of the City of Mobridge, Walworth County, South Dakota.

SECTION 2. This code may be referred to as the “Code of Zoning Ordinances of 2020” or the “Mobridge City Zoning Ordinances” or the “Mobridge Zoning Code.”

SECTION 3. Any act prohibited by this code, or any amendment hereto, for which a penalty is not herein prescribed, shall be punishable as a misdemeanor by fine or imprisonment, or both, to the extent permitted by the laws of South Dakota.

SECTION 4. An official copy of this code shall be filed in the office of the City Finance Officer and made available to persons desiring to examine the same. It shall be the duty of the Finance Officer to ensure that all subsequent amendments to this code are inserted in the official copy, amended parts noted or removed and new amendments in the form of supplements to be available to the holders of this code.

SECTION 5. All ordinances or parts of ordinances in conflict herewith, to the extent of such inconsistency, are hereby repealed; provided, however, that all ordinances pertaining to annexation; assessments; bonded indebtedness; budgets; buildings; contracts; fair housing; franchises; grant agreements; leases; loans; options; planning; property conveyances; sale, lease or contract to sell lands; subdivision plats; tax levies and other charges and zoning are not repealed; that the repeal of these would be contrary to and inconsistent with the intent of this ordinance. They shall continue in full force and effect and are not repealed.

SECTION 6. Resolutions are not repealed by this code.

SECTION 7. The repeal herein provided shall not affect any offense or act committed or any penalty or forfeiture incurred or any contract or right established or accruing before the date of this adopting ordinance.

SECTIONS 8. The repeal herein provided shall not affect any ordinance or resolution promising or guaranteeing the payment of money for the municipality, or authorizing the issue of any bonds or any evidence of indebtedness or any contract assumed by the municipality nor any responsibility made prior to the enactment hereof.

SECTION 9. It shall be unlawful for any person to change, alter or amend any part of this code, except by official action of the City Council. Anyone guilty of so doing shall be guilty of a misdemeanor and subject to such punishment as provided by law.

SECTION 10. If any chapter, article, section or subsection, sentence, clause or phrase of this code is for any reason declared to be unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed, to the extent of such conflict.

SECTION 12. This ordinance shall become effective upon its final adoption.

**WASTEWATER PROJECT** – The wastewater committee has met with staff and the engineer. Two options were given regarding which type of pump the plant utilizes; screw pump, which is the current

method, and submersible pumps. The committee and staff recommends screw pumps to be replaced. Moved by Reichert, second by O'Connell and carried, to approve the recommendation.

**Councilman Tom O'Connell** has been serving the City of Mobridge since 2006. He has been instrumental in getting the Mobridge Aquatic Center built and several water and sewer projects. O'Connell was presented with a plaque and the Mayor thanked him for his many years of service to the citizens and staff.

There being no further business to come before the council, the meeting adjourned at 5:40 PM on a motion by Yellow Boy, second by O'Connell and carried.

Beck swore in the Councilman Kyle Jensen. Also sworn in for their terms was Councilman Randy Carlson and Jeff Landreaux; and Mayor Gene Cox

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Tuesday July 14, 2020 at 5:45 PM. Mayor Gene Cox, City Administrator/Finance Officer Heather Beck, and the following council persons were present: Mound, Landreaux, Reichert, Jensen, Yellow Boy, and Carlson.

**COUNCIL OFFICER ELECTION:**

Moved by Yellow Boy, second by Mound and carried, to elect Carlson as council president. Carlson abstained. Moved by Landreaux, second by Reichert, and carried, to elect Yellow Boy as vice council president. Yellow Boy abstained.

**PUBLIC FORUM & VISITORS:**

No one was present to address the Council.

**DEPT HEAD REPORTS:**

**Police Department, Chief Shawn Madison** – Chief Madison informed the Council that on July 3<sup>rd</sup>, long time 911 Coordinator Brooks Johnson retired. Chief Madison requested a new position of E911 Coordinator/Head Dispatcher. After some discussion from the Council, moved by Reichert, second by Carlson and carried, to approve the new position. A job description will be presented at a future meeting.

**Water/Wastewater – Superintendent Kurt Schmaltz**

**STEP INCREASE** – Moved by Reichert, second by Mound and carried, to approve a step increase for water distribution employee Charles Kaiser, increasing his hourly wage from \$18.16 to \$18.41 effective June 22, 2020.

**RAS PUMP** – Moved by Reichert, second by Carlson and carried, to approve the quote of a new pump for the Wastewater Treatment Plant at a cost of \$16,500.

**Zoning – Jacque Rawstern, Zoning Officer**

**BUILDING PERMITS** - The following building permits were approved by the Zoning Officer for the month of June: Naomie Wessel, 301 10th Ave West, Replacing Front Deck; Nathan Ford, 603 7th Ave East, Repair Deck and New Patio Door; Tristan & Arla Malmedal, 210 5th Ave East, Repair North Basement Wall & Egress Window; Mark & Lavona Tisdell, 202 3rd Ave East, Sprinkler System; Christine Olsen, 106 4th Ave, Moving Walls and New Roof Support; Jennifer Coleman, 712 3rd Ave West, Replacing deck stairs & Finishing Basement; James Prasek, 320 East Grand Crossing, Demolition of House; Payton Wientjes, 905 4th Ave West, In Ground Deck; City of Mobridge Street Dept. Shop, 15x20 concrete pad; Oahe Car Wash, 622 West Grand Crossing, Retaining Wall, Permit Extension; Dominick Diniz, 305 Main Street, Fence Behind Business.

**NEW BUSINESS:**

**MALT BEVERAGE LICENSE** – A public hearing was held to consider an application for a malt beverage license for Mobridge Rodeo, Inc. Hearing no opinion for or against, moved by Carlson, second by Mound and carried, to approve the malt beverage license for Mobridge Rodeo, Inc. located at a portion of SE1/4SW1/4 of 20-124-79 also known as 1100 E Grand Crossing.

**TEMPORARY LIQUOR LICENSE** – A public hearing was held to consider an application from the Mobridge Rodeo Association for a temporary liquor license to be held on August 29, 2020. Hearing no opinion for or against, moved by Mound, second by Jensen and carried, to approve a temporary liquor license for the Mobridge Rodeo, Inc. on August 29, 2020 located at a portion of SE1/4SW1/4 of 20-124-79 also known as 1100 E Grand Crossing.

**MAYOR APPOINTMENTS** – Moved by Reichert, second by Yellow Boy and carried, to approve the following Mayor’s Appointments: Mayor – Police, Finance, Rail Authority and School Board Rep; Reichert – Police, Finance, Library and Water/Sewer; Jensen – Auditorium, Parks, and Airport; Laundreaux – Airport, Auditorium, and Streets; Yellow Boy – Fire, Police and Zoning; Carlson – Parks, Zoning and Streets; Mound – Housing, Fire, and Water & Sewer..

Library Board: Amy Cerney, LeeAnn Mack, Lynn Mertz, Michele Yellow Boy, and Tom Zerr.

Zoning Board: Tom Singer, Liz Ford, Lou Novich, Ken Rossow and Lillian Wientjes.

Parks Board: Thomos O’Connell, Dan Richards, DJ Taylor and Ryan Kemnitz.

Housing Board: Chris Fried, Jade Mound, Open, Todd Wagner and Amy Cerney.

Appointed Employees and Officers: City Administrator/Finance Officer – Heather Beck; Chief of Police – Shawn Madison; Fire Chief – Doug Delaroi; Asst. Fire Chief – James Bieber; Fire Dept Secretary – Kelly Silbernagel; Safety Officer – Ryan Ries; Zoning Officer – Jacque Rawstern; and Health Officer – Dr. Robert Marciano.

**RESOLUTION 20-03, BANKING AUTHORIZATION** – Moved by Yellow Boy, second by Laundreaux and carried, to approve Resolution 20-04, banking authorization.

**RESOLUTION NO. 20-04  
BANKING AUTHORIZATION RESOLUTION**

**WHEREAS**, The City of Mobridge is a Municipality under the laws of South Dakota; and

**WHEREAS**, The City of Mobridge has authorized Mayor Gene Cox, Council President Randy Carlson, and Finance Officer Heather Beck to act on behalf of the City of Mobridge to open any deposit or share accounts in the name of the Municipality; and

**WHEREAS**, The City of Mobridge will require two (2) of the three (3) signatures for any transaction; and

**WHEREAS**, The City of Mobridge will obey all of the rules of Wells Fargo Bank, Dacotah Bank, SD FIT and Great Western Bank,

**NOW, THEREFORE BE IT RESOLVED**, That the City of Mobridge shall be entitled to operate and maintain bank accounts at Wells Fargo Bank, Dacotah Bank, SD FIT and Great Western Bank in Mobridge, South Dakota and all transactions in said accounts shall require signatures of any two of the following persons: Mayor Gene Cox, Council President Randy Carlson, or Finance Officer Heather Beck.

**SURPLUS PROPERTY** – Moved by Mound, second by Yellow Boy and carried, to surplus 40 office lights. The lights were replaced with LEDs.

**CARES ACT RESOLUTION 20-03** – Moved by Yellow Boy, second by Reichert and carried, to approve Resolution 20-03, a resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of Cares Act funds to address the Covid-19 public health crisis giving the Finance Officer authority to sign documents.

**City of Mobridge Resolution Number 2020-03**

**A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH  
THE STATE OF SOUTH DAKOTA FOR THE RECEIPT 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 Mobridge 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 Mobridge 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 Mobridge seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Mobridge 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 Mobridge most recently approved as of March 27, 2020; and

WHEREAS, the City of Mobridge 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 Council of the City of Mobridge that the Finance Officer of Mobridge may 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 14 day of July, 2020.

**COVID RECOVERY FUND REIMBURSEMENT AGREEMENT** – Moved by Reichert, second by Laundreaux and carried, to approve the agreement with the State of South Dakota.

**1<sup>st</sup> READING ORDINANCE NO. 988, AMENDING TREES** – Moved by Mound, second by Carlson and carried, to approve the 1<sup>st</sup> reading of Ordinance No. 988, an ordinance in revision of Chapter 9-13 of the ordinances of the City of Mobridge, South Dakota amending 9-13-14 Nuisance Trees/Right to Inspect.

**CAMERA SYSTEM PARKS AND SCHERR HOWE** – Moved by Yellow Boy, second by Mound and carried, to approve the quote from WRT to install cameras at Scherr Howe and the City Park at a cost of \$9,260 and a reoccurring monthly charge of \$257.20.

**STEP INCREASE** – Moved by Reichert, second by Carlson and carried, to approve a step increase for Deputy Finance Officer Alicia Naasz, increasing her hourly wage from \$15.80 per hour to \$16.15 effective July 20, 2020.

**STEP INCREASE** – Moved by Carlson, second by Mound and carried, to approve a step increase for Street Superintendent Ryan Enderson, increasing his hourly wage from \$23.76 to \$24.09 effective July 6, 2020.

**CEMETERY DEED** – Moved by O’Connell, second by Carlson and carried, to approve the following cemetery deed: City of Mobridge to Richard Leonard and Loretta Leonard, transferring Grave 4, Lot 38, Block B in Greenwood Cemetery.

**DISCUSSION & INFORMATION ITEMS:**

**FINANCIAL REPORT** – Beck presented a financial report to the Council.

**PAYMENT OF BILLS:**

Moved by Yellow Boy, second by Laundreaux and carried, to approve the following bills for payment: Aflac, insurance 803.96; Allen Bohle, building maintenance 73.24; Bonita May, other services 215.00; Brady Fuhrer, prof. services 200.00; Cain Law Office, attorney services 120.00; Cam Wal Electric, utilities 493.64; Cardmember Service, other 176.24; Carol Godkin, other services 215.00; Center Point Large Prints, books 46.74; Central Diesel, repair & maintenance 198.00; Chamber of Commerce, other 6,744.56; Clerk of Courts, garnishment 300.00; CNA Surety, prof. services 50.00; Coca-Cola, supplies 1,320.25; Core & Main, supplies 418.44; Credit Collections Bureau, garnishment 286.24; Cummins Sales & Service, prof. service 5,751.03; Dady Drug, supplies 142.92; Dakota Glass, vehicle maintenance 58.27; Dakota Pump & Control, repairs/maintenance 1,828.37; Dan & Shalena Zeller, utility refund 42.41; Davis Martin, mowing contract 280.00; Dept. of Transportation, debt services 25,405.96; Deputy Finance Officer, postage 269.61; DISH 37.29; EBSCO, other services 381.57; Environmental Resource Assoc., water samples 432.81; Epic International, supplies 5,441.71; Ethanol Products, chemicals 1,955.98; Faehrich Construction LLC, prof. services 984.30; Fisher Scientific, supplies/chemical 867.94; Fleet Services, gasoline 2,541.03; Gas-n-Goodies, diesel 198.10; Gienger Sales, supplies 237.00; Grand Central, other services 105.00; Graymont, chemical 4,018.43; Great Western Bank, equipment 55,721.87; Gregg's Drilling & Excavating, prof. services 2,355.97; GTC Auto Parts, supplies 630.09; Hach Company, supplies 533.64; Hawkins, chemical 9,612.48; Heartland Waste, prof services 22,090.90; Hettinger-Mobridge Candy 2,737.79; High Point Networks, computer repairs 223.75; Homestead Building Supplies, supplies 742.53; Ingram, books 274.34; Jade Mound, other services 215.00; Jensen Rock & Sand, prof services 16,953.15; KCL, insurance 486.79; Klein Museum, books 26.99; KLJ, prof services 5,290.91; Language Line, Services, prof. service 90.00; Library Director, supplies, postage 51.65; Lindskov Implement, supplies 419.56; Lucky's Gas n More, gasoline 33.78; M&M Electric, repairs 742.24; Macqueen Emergency, vehicle maintenance 674.34; Marco Inc., copier 334.89; Matheson Tri-Gas, supplies 72.60; McLeod's Printing & Office Supplies, supplies 188.98; MDU, utilities 22,189.31; Merkel's Foods, supplies 208.57; Milbank Winwater, supplies 181.42; Milliken Electric, maintenance 3,213.00; Minnesota Valley Testing Lab., water samples 127.00; Mobridge Climate Control, repairs & maintenance 557.80; Mobridge Gas, LP 10.10; Mobridge Hardware, supplies 1,820.64; Mobridge Lawn Spraying, prof. services 3,665.00; Mobridge Regional Hospital, training 200.00; Mobridge Rodeo Inc., advertising 4,000.00; Mobridge Tribune, other services/ publishing 272.80; NAPA Auto Parts, repairs & maintenance 334.48; Oahe Landscapes, prof. service 150.09; Oahe Vet, prof services 310.00; Office Depot, computer & software/supplies 761.23; Office of Fire Marshal, prof. services 120.00; Payless Foods, concession stand/supplies/training 1,428.92; Payment Service Network, credit card fees 4.95; Pfitzer Pest Control, prof. services 100.00; Plunketts, prof services 62.05; PowerPhone, Inc., prof. services 587.00; Premier Equipment, equipment & machinery 7,199.99; Quality Quick Print, supplies 77.06; Quenzer Electric, repairs/street lights 1,736.91; Rockmount Research, supplies 304.92; Runnings, supplies 4,493.86; Sanitation Products, supplies 288.44; SD DENR, prof. services 1,400.00; SD Dept. of Health, water samples 611.00; SD Division of Child Support, garnishment 769.86; SD One Call, prof. services 30.46; SD Retirement, retirement 14,312.36; SD State Treasurer, sales tax 3,570.40; SD Unemployment, liability insurance 431.59; SDRS Supplemental Retirement, retirement 150.00; Servall, supplies 379.91; Sherwin Williams, supplies 1,195.58; Slater Oil, diesel/gasoline/propane 2,306.36; State Chemical Solutions, supplies 317.56; Tri State Water, supplies 27.30; Tyler Hearnen, prof services 3,950.00; United Postal Services, postage 62.50; US Bank, loan 43,224.48; US Postal Service, postage 539.22; USA Blue Book, supplies 466.92; USDA-Rural Development, loan payment 5,298.00; Valley Telecomm., utilities 835.16; Venture Communication, utilities 424.09; Verizon Wireless, cell phone 418.88; Verizon Wireless, utilities 40.01; Voyager Fleet, gasoline 752.23; Walworth Co. Landfill, prof. services 33.00; Walworth Co.

Treasurer, prof. services 42.40; Wellmark BC/BS, health insurance 16,124.42; West River Telecommunications, utilities 2,306.33; Zuercher Technologies, computer software 5,827.50

Salaries: Administration – 7221.00; City Administrator – 8135.73; Police Dept – 89475.86; Fire Dept – 550.00; Street Dept- 17301.75; Pool – 25447.48; Park -19040.99; Library -7647.56; Zoning – 792.00; 24/7 - 244.01; Water Department – 27320.52; and Sewer Department -17070.39.

There being no further business to come before the council, the meeting adjourned at 6:15 PM on a motion by Carlson, second by Mound and carried.

---

Heather Beck, Finance Officer

---

Gene Cox, Mayor

Published once at the total approximate cost of \$