

**MOBRIDGE CITY COUNCIL
REGULAR MEETING
March 9, 2021**

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, March 9, 2021 at 5:30 PM. Mayor Gene Cox, City Administrator/Finance Officer Heather Beck and the following councilpersons were present: Mound, Laundreaux, Reichert, Jensen, and Carlson. Yellow Boy absent.

AGENDA:

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

PUBLIC HEARING FOR CDBG APPLICATION: Ted Dickey of NECOG was present to hold a public hearing for the purpose of applying for a Community Development Block Grant for the screw pump project at the wastewater treatment plant. The cost share is 52% local match and 48% grant funding. No one was present to comment for or against the project or grant application. Moved by Reichert, second by Carlson and carried, to approve Resolution 21-04, Authorizing Community Development Block Grant Application.

RESOLUTION 21-04

Authorizing Community Development Block Grant Application To Assist In Wastewater Improvements In Mobridge, South Dakota

WHEREAS, the City of Mobridge proposes to execute an application for \$770,000 Community Development Block Grant funds to help to make improvements to the wastewater treatment plant in the City of Mobridge; and

WHEREAS, the City of Mobridge is eligible for Federal assistance for the proposed project; and

WHEREAS, with the submission of the Community Development Block Grant application, the City of Mobridge assures and certifies that all Community Development Block Grant program requirements will be fulfilled; and

WHEREAS, the City of Mobridge has held the required public hearing on Tuesday, March 9th, 2021, for the Community Development Block Grant; and

WHEREAS, the City of Mobridge is required to designate a certifying officer for the purpose of signing documents pertaining to this grant; and

WHEREAS, the City of Mobridge is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the City Administrator of the City of Mobridge, will be authorized to execute the Community Development Block Grant application for the City of Mobridge; and

AND BE IT FURTHER RESOLVED, that the City Administrator of the City of Mobridge, be hereby designated as the City's certifying officer for the purpose of signing correspondence, pay requests, and other required documents;

AND BE IT FURTHER RESOLVED, that the City Administrator of the City of Mobridge, be hereby designated as the City's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Dickey also took comments from the Council regarding any other projects they would like to seek funding for.

MINUTES:

Moved by Carlson, second by Mound and carried, to approve the minutes from the February 9, 2021 regular meeting.

PUBLIC FORUM & VISITORS:

No one was present to address the Council.

DEPT HEAD REPORTS:

Water Department – Superintendent Kurt Schmaltz

BOILER FOR WASTEWATER PLANT – Moved by Mound, second by Laundreaux and carried, to approve the quote from Johnson Control for two 400,000 BTU boilers including installation at the Wastewater Treatment plant in the amount of \$54,585.

Fire Department – Chief Doug Delaroi

NEW FIRE HALL LOCATION – Rough plans have been drafted for a new fire hall. The architect’s cost estimate came in at roughly \$4.25 million. Before funding can be applied for, a building location needs to be established. Chief Delaroi requested a location on the existing emergency route on 1st Ave E in the empty lot behind Scherr Howe. Utilities are adequate for the site. Moved by Reichert, second by Mound and carried (4-1), to approve the site behind Scherr Howe on 1st Ave E for the new fire hall site. Jensen voted no.

Zoning – Zoning Officer Jacque Rawstern

BUILDING PERMITS - The following building permit was approved by the Zoning Officer for the month of February: Beverly Health Care, 1100 4th Ave East, Demolition of Care Center and Jack Voller, 301 5th Ave West, 12X20 Shed.

OLD BUSINESS:

2nd READING ORDINANCE NO. 991 – The following ordinances will change the billing for water, sewer and garbage service. These ordinances will not allow for putting the billing into anyone else’s name besides the owner of the property. The owner of the property is already ultimately responsible but this change will save a lot of time and costs to the department. It will also save the property owner money every time a renter moves and in or out.

Moved by Carlson, second by Mound and carried, to approve the 2nd reading of Ordinance 991, an ordinance of the City of Mobridge, South Dakota amending the revised ordinances of the City, amending 5-4A-2 Collection – Residential Service.

ORDINANCE NO. 991

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING 5-4A-2 COLLECTION-RESIDENTIAL SERVICE.

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

That Section 5-4A-2 of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby amended as follows:

5-4A-2 COLLECTION-RESIDENTIAL SERVICE.

A. General

All garbage, rubbish, rubble, and refuse created, produced, or accumulated in or about a dwelling house, residence building or place of human habitation in the City limits of the City of Mobridge shall be removed from the premises at least once each week. The city may require a greater number of collections per week.

The city shall contract for lowest bid to a solid waste hauler for a period of three (3) years. The city shall set the billing rate by resolution and bill all owners of property being served by the City water service on their utility statements. No billing will be done by the private hauler for residential service.

(2005ORD810) (2003ORD798)

B. Property Owner's Responsibility

The owner or person in control of any private property, residence building or business building shall at all times maintain the premises free of commercial waste, household waste, garbage, infectious waste, industrial waste, rubble or yard waste except that used for composting. (2003)

C. Customer Containers and Location

1. No person or occupant shall deposit any refuse for collection by a licensed garbage collector or hauler, except in a suitable watertight metal or plastic container, with a tightly fitted cover or in a garbage dumpster/tote which may be provided. All paper, pasteboard boxes, building material waste, and similar rubbish and waste shall be deposited for collection in a box or bin provided with a lid which shall be kept closed.
2. The owner of any dwelling who rents, leases, or lets dwelling unit(s) for human habitation shall provide in a location accessible to all dwelling units at least one 30-gallon receptacle for each dwelling unit, or receptacles with a capacity sufficient to prevent the overflow of garbage and rubbish from occurring, and receptacles for recycling, into which garbage, rubbish, and recyclable materials from the dwelling units may be emptied between days of collection. The owner of the dwelling units shall subscribe to and pay or provide for garbage removal and recyclable service as required by ordinance. It shall be the obligation of the owner of the dwelling unit to pay for all water service provided to the unit.
3. Garbage containers shall be kept on the premises adjacent to an alley bordering on the premises so they are accessible from the alley adjoining the premises. Where no alley is available, they may be placed on the boulevard, driveway or parkway adjoining the premises on the day of garbage collection. If alleys become impassable, the City may order that residents place the containers in the boulevard, driveway or parkway adjacent to the premises on the day of garbage collection until such time as the alleys again become passable. (2003)

2nd READING ORDINANCE NO. 992 – Moved by Carlson, second by Reichert and carried, to approve the 2nd reading of Ordinance No. 992, an ordinance of the City of Mobridge, South Dakota amending the revised ordinances of the City, amending Ordinance 11-4-1 k: Definition of User pertaining to the charges assessed for use of the municipal sewer system.

ORDINANCE NO. 992

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING ORDINANCE 11-4-1 k Definition of User PERTAINING TO THE CHARGES ASSESSED FOR USE OF THE MUNICIPAL SEWER SYSTEM

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

That Section 11-4-1 k of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby amended as follows:

k. "User" means the owner of the premises connected to the municipal sewage collection system.

2nd READING ORDINANCE NO. 993 – Moved by Reichert, second by Carlson and carried, to approve the 2nd reading of Ordinance No. 993, an ordinance of the City of Mobridge, South Dakota amending the revised ordinances of the City, amending Ordinance 11-4-4: Service Charges pertaining to the charges assessed for use of the municipal sewer system.

ORDINANCE NO. 993

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING ORDINANCE 11-4-4 Service Charges PERTAINING TO THE CHARGES ASSESSED FOR USE OF THE MUNICIPAL SEWER SYSTEM

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

That Section 11-4-4 Service Charges of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby amended as follows:

11-4-4 Service Charges

(A) All owners of residential, apartments, mobile homes, hotel and Motels with and without combined apartments and sleeping rooms and business connections and Commercial connections to the Mobridge City municipal sewer system shall, on a monthly basis, pay for the use thereof and for the availability of the sewer service. The city shall set the billing rate for the sewer service by resolution and bill all owners of property being served by the City water service on their utility statements.

B) Wherever, by reason of special circumstances, the City Council finds the foregoing rates for any user or purpose, and whether within or without the City limits, are unjust or inequitable as applied to certain premises, said rates, if in the opinion of the City Council, be either too high or too low the City Council, by resolution, may fix and establish a fair and equitable Rate for such premises during the period of such special circumstances, which may be established by Resolution.

2nd READING ORDINANCE NO. 994 – Moved by Carlson, second by Mound and carried, to approve the 2nd reading of Ordinance No. 994, an ordinance of the City of Mobridge, South Dakota amending the revised ordinances of the City, amending Ordinance 11-2-15 pertaining to who is liable for payment of water rates and fees.

ORDINANCE NO. 994

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, AMENDING WATER RATE ORDINANCE 11-2-15 PERTAINING TO WHO IS LIABLE FOR PAYMENT OF WATER RATES AND FEES

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

That Section 11-2-15 of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby amended as follows:

11-2-15 Owner Liable For Payment Of All Water Fees

Unless otherwise specifically agreed upon by the City by Resolution, the owner of private property, which property has upon it pipes connected with the City waterworks to convey water upon such property, including rental property, shall be liable to the City of Mobridge for the rents or rates of all water from said waterworks used upon said premises, which may be recovered in an action against such owner. The Owner shall be billed for the water services at the address of the property upon which said waterworks are used. The city shall set the billing rate by resolution and bill all owners of property being served by the City water service on their utility statements.

2nd READING ORDINANCE NO. 995 – The ordinance pertains to parking and what type of material in driveways that are allowed to park on. Moved by Jensen, second by Reichert and carried, to approve the 2nd reading of Ordinance No. 995, an ordinance of the City of Mobridge, South Dakota amending the revised ordinances of the City, amending Ordinance 9-3-1 (d) pertaining to materials which can be used to construct driveways in front, side and rear yards with the following change: edit to not require edging in the alley parallel.

ORDINANCE NO. 995

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA AMENDING THE REVISED ORDINANCES OF THE CITY, ORDINANCE 9-3-1 (d) PERTAINING TO MATERIALS WHICH CAN BE USED TO CONSTRUCT DRIVEWAYS IN FRONT, SIDE AND REAR YARDS

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

That Section 9-3-1 (d) of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby amended as follows:

(d) 1. It shall be unlawful for any person to park a motor vehicle or trailer in the front yard of a residence or business, unless the motor vehicle or trailer is parked in a driveway. For the purposes of this ordinance, Front Yard is as defined in the definitions of the Mobridge Zoning Ordinances Title 4. For the purposes of this section (d) 1, a Driveway is defined as any area which is constructed for the purpose of parking motor vehicles, and which is hard surfaced with asphalt, concrete, stone pavers and any area which is surfaced with

stone pavers shall be constructed with an edging or other boundary material which prohibits the movement and spreading of the stone pavers in order to be deemed a driveway. Any driveway must connect to the public street and must include a curb cut where street curbing is present. Any driveway in existence as of February 1, 2021 which is surfaced with gravel or other loose material and which has been used as a driveway or parking area prior to February 1, 2021 shall be entitled to continue to use the driveway with the gravel or other loose material notwithstanding this Ordinance.

2. It shall be unlawful for any person to park a motor vehicle or trailer in the rear or side yards of a residence or business, unless the motor vehicle or trailer is parked in a driveway. For the purposes of this Ordinance, Rear Yard and Side Yard is as defined in the definitions of the Mobridge Zoning Ordinances Title 4. For the purposes of this section (d) 2, a Driveway is defined as any area which is constructed for the purpose of parking motor vehicles, and which is surfaced with gravel or other similar loose material, asphalt, concrete, or stone pavers.

NEW BUSINESS:

STEP INCREASE – Moved by Carlson, second by Reichert and carried, to approve a step increase for Josh Fischer, increasing his hourly wage from \$18.33 to \$18.64 effective March 1, 2021.

SEASONAL EMPLOYEES – Moved by Jensen, second by Reichert and carried to approve the following seasonal employees for 2021: **Pool:** Lifeguards: Bryson Vetch - \$9.95, Cole Wellner - \$9.95, Myia Fiest - \$9.95, Remmington Ford - \$9.95, Bailey Keller - \$9.95, Sarah Cox - \$9.70, Phoebe Schmaltz - \$9.70, Blaise Thompson - \$9.70, Kobe Good Shield - \$9.70, Gabby Zimmer - \$9.70, Emma Keller (fill in) - \$9.95, Callie Weisbeck (fill in) - \$9.95; Attendants: Cadee Peltier - \$9.45, Amber Vetch - \$9.45, Sarah Lopez - \$9.45, Trenton Two Hearts - \$9.45; WSI: Ava Stoick - \$12.00, Regan Stoick - \$12.00; Management: Lauren Thompson, Asst. Manager - \$12.25, and Monica Weninger Schmaltz - \$3,090 salary per month over pool season; **Parks/Streets:** Gordon Hintz - \$13.00, Lyle Walth - \$13.00, Jeff Anderson - \$13.00, Reese Cerney - \$13.25, Tyler Blankartz - \$13.25, Sean Moser - \$11.00 and **Water/Wastewater:** Killian Warner - \$13.75.

CEMETERY DEEDS – Moved by Carlson, second by Mound and carried, to approve the following cemetery transfers: from the City of Mobridge to Rose Holzer and Leo Holzer, Grave 5 & 6, Lot 85, Block P in Greenwood Cemetery; and from the City of Mobridge to William J. Leonard and Marie K. Leonard, Graves 3 & 4, Lot 11, Block Q in Greenwood Cemetery.

ASSIGNMENT OF LEASE - Moved by Carlson, second by Mound and carried, to approve the assignment of lease from Benjamin Stoick and Sheila Stoick to Douglas Wager the Mobridge Airport Private Aircraft Hangar Lease No. 4.

AIRPORT PAY REQUEST – Moved by Jensen, second by Reichert and carried, to approve pay request no. 3 in the amount of \$2,493.20 for the airport beacon project.

ADVERTISE FOR BIDS – Moved by Carlson, second by Mound and carried, to approve advertising for bids for the apron and taxi lane project at the airport.

ELECTION BOARD – Moved by Mound, second by Reichert and carried, to authorize Beck to hire the election board at \$200 per day and \$15 per hour training.

COUNTY AGREEMENTS FOR ANSWERING SERVICES – Moved by Mound, second by Carlson and carried, to approve the agreement with Potter County to provide additional communication services for their Sheriff's office during hours when no radio personnel is on duty in the amount of \$14,346.75. Moved by Reichert, second by Mound and carried, to approve the agreement with Dewey County to provide additional communication services for their Sheriff's office during hours when no radio personnel is on duty in the amount of \$4,406.00. Moved by Carlson, second by Laundreaux and carried, to approve the agreement with Corson County to provide additional communication services for their Sheriff's office during hours when no radio personnel is on duty in the amount of \$7,515.00.

INFORMATION ITEMS:

EQUALIZATION MEETING – The Equalization meeting will be held on March 15, 2021, time to be determined. A quorum of the Council must be present.

DISTRICT 7 MEETINGS – Information was given to the Council regarding district 7 Municipal League meetings. They will be held virtually this year on March 24th at 5:30 PM.

APRIL COUNCIL MEETING – The regular meeting will be held on the 14th of April due to the election.

PAYMENT OF BILLS:

Moved by Carlson, second by Mound and carried, to approve the following bills for payment:

Aflac, insurance 891.10; Aqua-Pure Inc., chemical 2,082.29; Avera Occupational Medicine, prof. services 80.55; Axon Enterprise, Inc., uniforms/equipment 3,528.00; Barkmark Insurance Solutions, liability insurance 423.28; Book Systems, Inc., computer software & hardware 795.00; Bridgemark Insurance Solutions, liability insurance 86,345.72; Cain Law Office, PC 560.00; CamWal Electric, street lights/utilities 572.32; Cardmember Services, other services, prof. services, uniforms/equipment 84.70; Center Large Print, books 46.74; Central Diesel, truck maintenance 1,120.48; Chamber of Commerce, other 7,033.09; CNA Surety, prof. services 1,182.00; Credit Collections Bureau, garnishment 520.04; Dady Drug, supplies 15.88; Dakota Glass & Alignment, prof. services 15.00; Dakota Pump & Control, repair & maintenance 2,887.76; Dakota Supply Group, for in-house repairs 212.98; Demco, supplies 146.54; Deputy Finance, postage 19.00; DISH 42.30; Division of Motor Vehicles, vehicle maintenance 3.00; Don Blankartz, refund 366.24; Fabra-Tech, Inc., prof. services 114.80; FedEx, other services 9.92; Fisher Scientific, supplies 1,167.24; Fleet Services, gasoline 1,112.95; Freidel's Music & Recreation, refund 198.07; Galls, LLC, uniforms/equipment 913.94; Gas-N-Goodies, gasoline/diesel 157.15; Gienger Sales & Services, supplies 80.00; Grand Central, other services/vehicle maintenance 179.54; Great Western Bank, computer software & hardware/supplies/HAS Contributions/machinery & equipment/other services/payroll taxes/ prof. services/repairs & maintenance 32,787.98; Gregg's Drilling & Excavating, prof. services 13,989.15; GTC Auto Parts, equipment maintenance/sup. For in-house repairs/truck maintenance/vehicle maintenance/ repairs & maintenance 197.28; Heartland Waste, prof services 21,128.00; High Point Networks, computer software & hardware/prof. services 770.00; Homestead Building Supplies, repair & maintenance/supplies 568.70; Ingram, books 130.54; Inracks, LLC, computer software & hardware 1,503.53; Jensen Rock & Sand, gravel & oil/supplies 608.25; Johnson Controls, building maintenance/prof. services/repairs & maintenance 5,615.10; KCL, insurance 466.01; Kiesler Police Supply, training supplies/uniform/equipment 3,302.76; KLJ, prof services 15,500.00; Language Line Services, prof. services 90.00; LJ Plumbing Heating & Air, LLC, repairs & maintenance 3,767.66; Lucky's Pit Stop, gasoline 95.94; Marco Inc., copier 339.84; Matheson Tri-Gas Inc., other services 298.36; MDU, utilities 19,189.92; Metering & Technology Solutions, prof. services 15,060.90; Michael Todd Company, Inc., equipment maintenance 2,752.88; Midcontinent Comm., utilities 185.00; Milbank Winwater Works, supplies 1,342.65; Milliken Electric, building maintenance 2,884.32; Minnesota Valley Testing Labs, water samples 127.00; Moberidge Fire Dept. machinery & equipment 30,000.00; Moberidge Hardware, supplies 801.43; Moberidge Regional Hospital, prof. services 240.00; Moberidge Tribune, prof. services/publishing/supplies 2,058.08; Moberidge Youth Organization, refund 350.00; Moore Engineering, prof. services 15,292.54; Moore Engineering, prof. services 44,000.00; Muth Electric, Inc., prof. services 2,493.20; N&W Auto Repairs, vehicle maintenance 483.40; Oahe Vet, prof services 260.00; Office Depot, supplies 314.46; Open Canvas, other services/uniforms/equipment/prof. services 332.75; Overhead Door Company, building maintenance 428.57; Paylessfoods, supplies 154.24; Payment Service Network, credit card fees 4.95; Premier Equipment, repair & maintenance 188.51; Priority Dispatch, computer software & hardware 148.00; Quenzer Electric, repairs & maintenance 238.27; Radar Shop, radio maintenance 368.71; Real-Tuff, repair & maintenance 36.60; Runnings, supplies 1,422.16; Sanitation Products Inc. equipment maintenance 446.24; SD Department of Revenue, liquor & beer license 150.00; SD Dept. of Health, water samples 414.00; SD Dept. of Public Safety, prof. services 5,400.00; SD Division of Child Support, garnishment 513.24; SD One call, prof. services 6.30; SD Retirement, retirement 14,355.70; SD Secretary of State, prof. services 30.00; SD Sheriff Association, travel & conference 85.00; SD State Historical Society, prof. service 55.00; SD State Treasurer, sales tax 1,559.71; SDRS Supplemental Retirement, retirement 250.00; Servall, supplies 29.35; Sioux Corporation, repair & maintenance 109.17; Slater Oil, gasoline/LP gas & fuel oil/supplies 14,365.70; Sunset Law Enforcement, supplies 491.40; Swanston Equipment Corporation, equipment maintenance/repair &

maintenance 4,266.25; The Bottom Line Solutions, Inc., prof. services 200.00; Titles of Dakota, prof. services 250.00; Tri State Water, supplies 17.20; US Postal Service, postage/supplies 879.67; USA Blue Book, repairs & maintenance 629.71; USDA-Rural Development, loan payment 5,298.00; Valley Telecomm., utilities 827.16; Venture Communication, utilities 424.09; Verizon Wireless, cell phone/utilities 419.26; Walworth County Landfill, prof. services 82.90; Wellmark BC/BS, health insurance 17,515.82; West River Telecommunications, utilities 3,241.02; West Side Meats, refund 532.02; Western Rancher, prof. services/uniforms/equipment 281.70

Salaries: Administration – 9299.96; City Administrator – 2773.08; Police Dept – 57467.99; Fire Dept – 500.00; Street Dept- 10712.81; Library -5406.40; Auditorium – 255.23; 24/7 -1174.32; Water Department – 18593.57; and Sewer Department -11733.34.

There being no further business to come before the council, the meeting adjourned at 6:04 PM on a motion by Mound, second by Laundreaux and carried.

Heather Beck, Finance Officer

Gene Cox, Mayor

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