

**Wall City Council Meeting**  
**Community Center Grand Hall**  
October 18<sup>th</sup>, 2021 6:30pm

Members Present:

Marty Huether-Mayor  
Rick Husted-Councilman  
Kelly Welsh-Councilwoman  
Jerry Morgan-Councilman  
Stan Anderson-Councilman  
Dan Hauk-Councilman  
Mike Anderson-Councilman

Others Present:

Carolynn Anderson-Finance Officer  
Loree Thompson-Asst. Finance Officer  
Garrett Bryan-Public Works Director  
Stephanie Trask-Bad River Law  
Kent Hagg-Special Council  
Mike Nadolski- Lynn Jackson, Schultz & Lebrun  
Jacque Weller-court reporter, Mary Williams  
Lee & Mandi Reuwsaat, Jackie Kusser

Gordy & Gina Kraut, Carol Anne Hodge, Tanner Handcock, Dave Curtis, Linda Eisenbraun  
Pete Dunker, Tyler Swift, Allen & Carolyn Schulz, BJ & Bobbie Dartt, Chris Fremstad  
Mike Nesseth, Dpt. Bowman, Donna Crown, Donna Fauske, Niki Mohr, Kelsey Clark  
Joe Leach, Patt Husted, Chad & Alicia Walker, Krystle Odell, Wayne & Gwen Davis  
Judy Goldhammer, Jody Gallino, Gale Patterson, Grant Holub, Zack Hoffman, Sarah Husted  
Sanden & Elaine Simons, Carrie Schell, Linda Hiltner, Amanda Kjerstad, Cheryl Walker  
Kari Welsh, Gary Keyser, Glenn Swanson, Denny & Bonnie Law, Darwin Haerer Jr.  
Marilyn Huether, Susan Huether, Liliya Stone, Shailyn Holbert, Chris Clark, Kailech Kier  
Stacy Kitterman, Stacy Bielmaier, TJ Ruland and Steve Walters with Love's via videoconference

*(All action taken in the following minutes carried by unanimous vote unless otherwise stated.)*

Mayor Huether called the meeting to order at 6:33pm; roll call was taken, and a quorum was present.

The Pledge of Allegiance was recited with Mayor Huether leading.

Motion by S Anderson, second by Welsh to approve the agenda. Motion carried.

Huether explained ground rules for public comments and requested the council to adopt the Standing Rules for public comment and Robert's Rules of Order for this meeting and all meetings moving forward. Motion by Husted, second by Hauk to adopt the rules. Motion carried.

Mike Nadolski commented Steve Walters with Love's is available for technical questions via Zoom. Nadolski reiterated this process began back in August of 2019; meeting with the planning and zoning to request the location for building to be rezoned, which was denied. One Shot submitted a building permit on February 20, 2021, it was denied and deemed to be premature. He explained in South Dakota, every city has the power to adopt the International Building Code and the ability to approve permits. The City of Wall has adopted these codes in their ordinances. The Court has ordered the City of Wall to decide on the building permit based on if the plans meet those codes. He feels as elected officials, they are responsible to do what is right and use fair and impartial treatment for their client. He directed any questions from the council to Steve Walters.

Huether opened the floor to public comments:

- Tanner Handcock representing Echo Valley members-concerns of livelihood and lifestyle. Asked the council to consider traffic load and disruption of tourism and city traffic, shortage of workers and housing. Listen to business owners and residents. His personal concern is for kids going to school.

- Wayne Davis asked if any independent studies have been done on traffic and noise as requested in earlier discussions.
- Carol Anne Hodge feels Love's has the best truck stops from her personal experience because they are clean and well run. People should welcome new businesses and feels this would be a good business.
- Denny Law lives on Stone Drive and does not want a truck stop in his backyard. He mentioned it will create a few jobs, sales tax and property tax. It will decrease property values and discourage new housing in the area.
- Glenn Swanson said the money is a positive, but consider possible problems, such as infrastructure of water and sewer, electricity, road repair, law enforcement, increased accidents, sickness & death, prostitution, and manpower.
- Carrie Schell with the Wall Ambulance and Fire Department mentioned emergency services are sometimes overlooked. They are short on volunteers and more traffic puts extra workloads on a short staff.
- Chris Clark asked how many tax dollars the city is willing to spend to keep a business out? The city is working on developing more housing, where will those people work? Is the city planning to show consistency on allowing businesses? Curious why the room is packed for this item but, not with other controversial items.
- Linda Hiltner asked if any studies were done through the process of developing the comprehensive plan. She had been told that area was a wetland and couldn't be developed. If the permit is not approved, will Love's push their way in, anyway.
- Pete Dunker is not concerned with a truck stop but is concerned with the location and what will come next in that area. How can you stop other businesses from building there if this one is allowed?
- Mayor Huether said there has been and could be more discussion with Love's on moving to a different location. He also mentioned there is a proposed housing development which would put a bigger buffer between the truck stop and the existing houses in that area.
- Gordy Kraut said his concern is for public safety, emergency services, and law enforcement. He doesn't have a problem with the convenience store aspect of the business but does with truck parking and noise 24 hours a day. Huether stated noise issues are currently covered in ordinance.
- Kari Welsh stated it will be a hard decision for the council but take into consideration, the homes in the area.
- Kelly Welsh mentioned in traveling, she sees a lot of truck stops along interstate, but none are next to housing. People built in that area because it was quiet. Huether said, in looking for information a year and a half ago, there were many truck stops next to residential areas. Steve Walters said they have several locations near residential areas and school. It is unfortunate the people who built there thought the area would never be developed.
- Welsh asked Walters about law enforcement since there are only three deputies in town and other emergency services. Walters replied, how will you grow your emergency services without the tax dollars. Their employees are well trained on issues that arise, such as hazmat issues.
- Bobbi Dartt gave information on dispatch calls to the three truck stops in Rapid City. She felt over 1,000 calls in a year was very high. Councilman Morgan mentioned if you divide it out, it figures to be around two calls per day between the three truck stops, with the majority being motorist assists.
- Carrie Schell said hazmat comes from Rapid City, the local fire departments can only handle the basics.

- Kent Hagg-Special council said the court made it clear the council is required to consider the building permit, but it is clearly a discretionary decision of the council. The court does not have the authority to tell the council to approve it, only consider it.

Due to public comment guidelines, Hagg called for executive session to discuss how the permit relates to the subdivision ordinance. Mayor Huether questioned executive session since it wasn't listed on the agenda at this time when approved. Attorney Trask responded it can be called at any time by the attorney.

Motion by Husted, second by S Anderson to move to executive session for the purpose of legal issues according to SDCL 1-25-2 at 7:40pm. Motion carried.

Huether declared the meeting back in session at 8:10pm.

Motion by S Anderson, for the health, safety, and well-being of the residents of the City of Wall are at stake, to deny the commercial building permit for One Shot LLC/Love's Truck Stop, second by Welsh. Huether called for a roll call vote. Welsh-Yay, Morgan-Nay for reasons of taxation and lawyer fees, S Anderson-Yay, Husted-Yay, Hawk-Nay, agrees with Morgan's reasons, M Anderson-Yay. Motion carried four to two to deny the building permit.

Motion by M Anderson, second by Hawk to approve the consent agenda. Motion carried.

- Minutes of October 4<sup>th</sup> and October 12<sup>th</sup> city council meetings
- Minutes of October 12<sup>th</sup> fire department meeting
- City of Wall, Fire Department, and Library claims
- Budget report

Review

- Golf Course financial report
- Sales Tax report
- Cash & MM Balance

**Public Comments:** Wall Economic Development Director Stone inquired if going forward, all building permit requests will follow this same procedure. Attorney Trask stated the procedure for building permits would remain the same as always. The only thing that has changed was public comments will have a time limit. Chris Clark asked if the cost for the litigation is public and if so, what is the cost. Huether replied it is public but does not have the information with him. Zack Hoffman asked if there has been discussion on cultivation, manufacturing and testing facilities for cannabis. Huether replied there has not been at this time.

Attorney Trask had nothing to report.

Mayor Huether reported:

- Echo Valley-cost has gone up with increasing lots. The proposed asphalt change did not change the cost much. Total cost for phase #1 is 2.3 million. It was a concurrence of the council to move forward for bidding in conjunction with the Industrial Park. Attorney Trask will draft a contract and bring back to the council for review.
- Redistricting-explained every ten years, in accordance with the census, reportioning needs to be done. Moving the City of Wall into District 27 is being proposed. This would mean a change in representatives. The move would consolidate the City of Wall and the outlying areas, which is split at the present time. There is a short timeline to make suggestions for Wall remaining as is. Wall/Badlands Area Chamber Director Clark said it was suggested to send emails with reasons for leaving it as is. The information is on the Legislative website. Second week in November, it will go to special session. Clark is scheduling legislators to meet in Wall to answer questions. Huether feels it should be a public meeting to get community input. Williams encouraged everyone to listen to the

audio from the redistricting meeting which can also be found on the legislative website. Huether suggested a social media blast for public input.

Finance Officer (FO) Anderson commented the cannabis applications will not be available until the ordinance goes into effect. She will bring several samples to the November 4<sup>th</sup> meeting. Hoffman asked if there would be public comment on the applications submitted. Huether said that will have to be looked at. Hoffman asked if the city has the mapping for the distance yet. FO Anderson will contact DC Scott for follow up on the status.

FO Anderson reported:

- Conference follow up-many good sessions including Rod Fortin on ARPA funding, FBI Joe on cyber security, a panel of five cities on housing developing, Attorney Frankenstein on redistricting and a panel on cannabis.
- Budget finance committee-met and went over preliminary budget line by line. Changes from the direction of the committee will be made and will be reviewed at the October 25<sup>th</sup> committee meeting. After review, it will be emailed to the council for review. Huether mentioned Rodeo Sponsorship was not added in the budget. FO Anderson will add it.
- Festival of Trees-First Interstate Bank is planning for it this year and does the city plan to participate.

Motion by S Anderson, second by Husted to fund the same as in the past. Motion carried.

Assistant Finance Officer (AFO) Thompson reported:

- SDML conference-thank you to the council for allowing us to attend. We were given lots of information including Connect program for First responder support, Boundary fence project for cyber security, which we were part of the pilot program and SD Retirement will come to Wall to go over employee's plans and answer questions, if we request it.
- 2022 wages-have been working on recommendations.
- Employee Assessments- sent assessments to employees and supervisors, will look at possible dates for personnel meetings to complete assessments.

Public Works Director (PWD) Bryan reported:

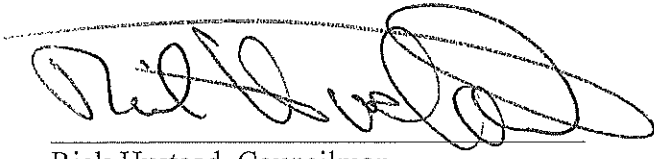
- Getting things ready for winter and weatherizing
- New employee is doing a really good job
- Rural Water is back to video lines
- Street project-will get with Dana Foreman with KLJ to go over a punch list. They still have things to finish. Morgan mentioned a sidewalk that didn't match up. Bryan explained they will come back and cut it in to match the old sidewalk.

Items for discussion – *no action will be taken* - Huether commented the council has a copy of the 166 surveys on cannabis in front of them. He thanked Hoffman for taking his time to do that. FO Anderson mentioned, M Anderson suggested adding a line on the agenda to introduce anyone who may be in attendance via Zoom. The council agreed.

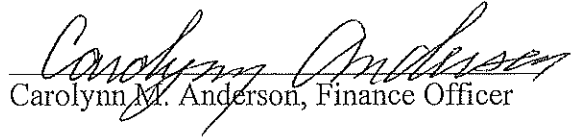
FO Anderson suggested changing the December city council meetings. The first meeting scheduled for December 2<sup>nd</sup> would conflict with the planned date for the Parade of Lights and the second meeting scheduled for the 16<sup>th</sup> is early in the month for the last meeting of the year. Motion by M Anderson, second by Welsh to move the December meetings to Monday, the 6<sup>th</sup> and Monday the 20<sup>th</sup>. Motion carried. There was further discussion to draft an ordinance amendment to change the council meetings to Mondays instead of Thursday, due to so many conflicts with that timeframe.

Next City Council meeting will be Thursday, November 4<sup>th</sup> at 6:30pm.

With no further business to address, Huether adjourned the meeting at 9:11pm.



Rick Hustead, Councilman



Carolyn M. Anderson, Finance Officer

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

# Wall Fire Department Minutes

**Date: 10/12/2021**

Meeting called to order by: Chief Jim Kitterman

Motion to approve minutes of last meeting by: Carrie 2<sup>nd</sup>:Kevin

Motion to approve roster at: 20 By: Garrett 2<sup>nd</sup>: Jeremy

Motion to approve financials by: Carrie 2<sup>nd</sup>: Kevin

**Members present:** Emily, Garrett, John, Jim, Andrew, Tyrel, Darwin, Carrie, Jeremy, Kevin

**Old Business:** Garrett made motion to leave Boyd Kitterman locker open forever 2<sup>nd</sup> by Cameron

We have not yet gotten paid for the link fire

**New Business:** Sent a truck to Auburn hills fire

Christmas party is December 4<sup>th</sup> at Two Bit in Quinn at 6

Election committee will be Carrie and Darwin

Vote for FF of the year

Clean, fuel and restock trucks after every call and do report

**Motion to adjourn by:** Carrie 2<sup>nd</sup>: Jeremy

Submitted by: Andrew Ferris

CITY BILLS  
October 18, 2021

October 18, 2021 Bills:

**101 General Fund**

Anderson,Carolynn	travel-meals	\$104.00
Crown Oil	fuel	\$1,031.42
Eisenbraun, David	property tax rebate	\$1,021.06
Fourth Avenue Floral	Ireland-Otto-Wilmarth	\$320.00
Golden West Technologies	security monitoring	\$197.93
ISG	design for IP	\$805.25
Ken's Refrigeration	community center HVAC	\$4,525.78
Lurz Plumbing	sattelite office	\$101.12
Pennington Co Courant	publishing	\$962.96
Stone, Liliya	meals	\$40.00
Thompson, Loree	meals	\$40.00
Verizon	PW employees phone	\$147.60
Wall Building Center	supplies	\$354.47
WREA	ambulance loan	\$1,286.66
Whitting Hagg, Hagg, Dorsey	attorney fees	\$7,426.00

**Additions**

**602 Water Fund**

Crown Oil	fuel	\$1,295.43
Hawkins	water treatment	\$405.81
Wall Building Center	supplies	\$311.98
<b>SD 811</b>	<b>locate requests</b>	<b>\$10.64</b>

**604 Sewer Fund**

Crown Oil	fuel	\$515.71
Wall Building Center	supplies	\$93.01
<b>SD 811</b>	<b>locate requests</b>	<b>\$10.64</b>



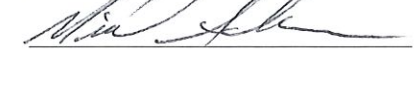

**612 SW Fund**

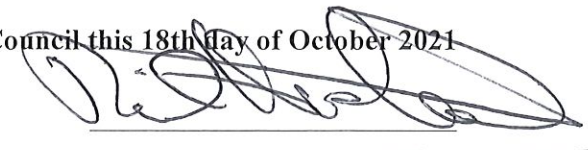
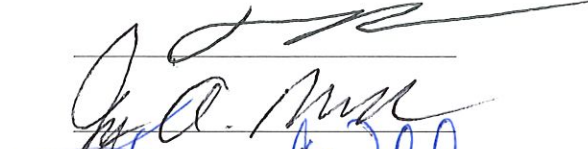
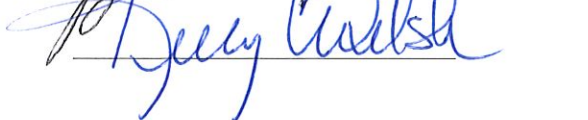
Crown Oil	fuel	\$515.71
Golden West Technologies	security monitoring	\$80.97
Wall Building Center	supplies	\$93.01
Waste Connections	garbage contract	\$6,499.10

**TOTAL BILLS:**

**\$ 28,196.26**

Approved by the Wall City Council this 18th day of October 2021







September 2021

7:37 PM

10/09/21

Wall Golf Association, Inc.  
**Reconciliation Summary**  
Checking, Period Ending 09/30/2021

	<u>Sep 30, 21</u>
Beginning Balance	19,318.45
Cleared Transactions	
Checks and Payments - 30 items	-14,424.75
Deposits and Credits - 15 items	6,362.47
Total Cleared Transactions	<u>-8,062.28</u>
Cleared Balance	<u>11,256.17</u>
Uncleared Transactions	
Checks and Payments - 16 items	-5,868.55
Deposits and Credits - 3 items	383.00
Total Uncleared Transactions	<u>-5,485.55</u>
Register Balance as of 09/30/2021	<u>5,770.62</u>
New Transactions	
Checks and Payments - 2 items	-346.23
Total New Transactions	<u>-346.23</u>
Ending Balance	<u>5,424.39</u>

15  
20  
300

September 2021

6:44 PM

10/08/21

Wall Golf Association, Inc.  
**Reconciliation Summary**  
Savings, Period Ending 09/30/2021

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	<u>Sep 30, 21</u>
Beginning Balance	19,940.95
Cleared Transactions	
Deposits and Credits - 1 item	<u>0.16</u>
Total Cleared Transactions	<u>0.16</u>
Cleared Balance	<u>19,941.11</u>
Register Balance as of 09/30/2021	19,941.11
Ending Balance	19,941.11

## 2020-2021 Sales Tax Comparison

MONTH	2% Tax 2020	Monthly Totals	YTD Totals	MONTH	2% Tax 2021	Monthly Totals	YTD Totals	Percentage Change
1-Dec	\$7,420.18	received in 2020		1-Dec	\$22,281.20	received in 2021		
Jan Audit				Jan Audit				
1-Jan	\$64,679.18			1-Jan	\$86,679.41			
1-Jan	\$3,595.40	\$68,274.58		1-Jan	\$1,468.72	\$88,148.13	\$88,148.13	29%
February Audit				February Audit				
1-Feb	\$106,833.92			1-Feb	\$50,273.55			
1-Feb	\$6,670.41	\$113,504.33	\$181,778.91	1-Feb	\$12,541.62	\$62,815.17	\$150,963.30	-45%
March Audit				March Audit				
1-Mar	\$57,691.13			1-Mar	\$73,728.18			
1-Mar	\$4,529.90	\$62,221.03	\$243,999.94	1-Mar	\$11,076.48	\$84,804.66	\$235,767.96	36%
April Audit				April Audit				
1-Apr	\$73,328.25			1-Apr	\$84,331.59			
1-Apr	\$2,450.48	\$75,778.73	\$319,778.67	1-Apr	\$591.51	\$84,923.10	\$320,691.06	12%
May Audit				May Audit				
1-May	\$53,372.31			1-May	\$95,951.62			
1-May	\$515.73	\$53,888.04	\$373,666.71	1-May	\$1,941.44	\$97,893.06	\$418,584.12	82%
June Audit				June Audit				
1-Jun	\$29,463.70			1-Jun	\$42,500.61			
1-Jun	\$25,941.50	\$55,405.20	\$429,071.91	1-Jun	\$96,582.70	\$139,083.31	\$557,667.43	151%
July Audit				July Audit				
1-Jul	\$114,630.85			1-Jul	\$185,536.76			
1-Jul	\$8,047.41	\$122,678.26	\$551,750.17	1-Jul	\$25,907.69	\$211,444.45	\$769,111.88	72%
August Audit				August Audit				
1-Aug	\$166,005.44			1-Aug	\$192,121.15			
1-Aug	\$6,973.34	\$172,978.78	\$724,728.95	1-Aug	\$21,273.56	\$213,394.71	\$982,506.59	23%
September Audit				September Audit				
1-Sep	\$154,498.48			1-Sep	\$185,800.12			
1-Sep	\$24,522.86	\$179,021.34	\$903,750.29	1-Sep	\$21,836.88	\$207,637.00	\$1,190,143.59	16%
October Audit				October Audit				
1-Oct	\$121,678.99			1-Oct				
1-Oct	\$9,250.72	\$130,929.71	\$1,034,680.00	1-Oct		\$0.00	\$1,190,143.59	-100%
November Audit				November Audit				
1-Nov	\$79,396.31			1-Nov				
1-Nov	\$10,210.98	\$89,607.29	\$1,124,287.29	1-Nov		\$0.00	\$1,190,143.59	-100%
December Audit				December Audit				
1-Dec	\$39,174.71			1-Dec				
1-Dec	\$22,281.20	\$61,455.91	\$1,185,743.20	1-Dec		\$0.00	\$1,190,143.59	-100%
<b>TOTALS</b>	<b>\$1,185,743.20</b>		<b>\$1,185,743.20</b>	<b>TOTALS</b>	<b>\$1,190,143.59</b>		<b>\$1,190,143.59</b>	