

Wall City Council Meeting
Community Center Grand Hall
May 21, 2020 6:30pm

Members Present:

Marty Huether, Mayor
Rick Hustead, Councilman
Dar Haerer, Councilman
Jerry Morgan, Councilman
Stan Anderson, Councilman
Members Absent:
Mike Anderson, Councilman
Dan Hauk-Councilman

Others Present:

Carolynn Anderson - Finance Officer
Loree Thompson - Asst. Finance Officer
Garrett Bryan - Public Works Director
Liliya Stone - Economic Development Director
Mary Williams, Kwinn Neff, Linda Hiltner
Ester Johannesen, Jennifer Sietsema-
Black Hills Council of Local Governments

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

Mayor Huether called the meeting to order at 6:32pm; roll call was taken, and a quorum was present.

The Pledge of Allegiance was recited.

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

Motion by Haerer second by Morgan to approve the consent agenda. There was discussion with a discrepancy on a bill for retainage of Kent Hagg. Finance Officer (FO) Anderson will get clarification and bring back to the next meeting. Motion carried.

- Minutes of May 7th city council meeting
- City of Wall, Fire Department and Library claims
- Budget report

Review

- Community Center report
- Review Building Permits
 - Martin Pursley to move shed in at 28 Stone Drive
 - Carla Sebold-storage container at 512 Ferret Street

Linda Hiltner with Wall Library Board presented the council with three items for approval.

- The Library Board approved resignation of Rachel McConaghy, due to her moving. Sue Eisenbraun has been asked to take her place. Motion by Morgan, second by S Anderson to approve the library board, consisting of Sue Eisenbraun, Gwen McConnell, Linda Hiltner, Rachel Kjerstad, and Cheryl Walker, with City council liaisons, Jerry Morgan and Dan Hauk. Motion carried.
- A State Library Grant that was applied for, requires adding evening and weekend hours. The Library already has evening hours. The Boards proposal for two hours on Saturday would be to take an hour from Thursday and an hour from Friday. The new Library hours would be Wednesday 12:00pm – 7:00pm; Thursday 10:00am – 12:30pm and 1:30pm – 5:00pm; Friday 8:00am – 12:00pm and Saturday 9:00am – 11:00am. Motion by Haerer, second by S Anderson to approve the revised hours. Motion carried.
- Hiltner presented a reopening plan and expressed concern with the additional cost not included in the 2020 budget. Mayor Huether commented if the additional cost puts them over the 2020 budget, they will address that concern then. They will continue to do research and plan to open, upon council and State recommendations.

Kwinn Neff introduced himself as a candidate for District 30, State Representative. He is from Keystone and gave additional background of himself. His three main focuses are, timber (including agriculture), tourism, and teachers.

Wall Economic Development Director (WEDD) Stone reported:

- Public Works and the two youth board members organized and cleaned up the archery range with hopes people will utilize it
- A Community Garden is being established. Beds, water and dirt are available, anyone interested in using it will need to provide plants or seeds. Donna Crown and Betty Haerer are contacts.
- Wall Bridge Grant has paid out over \$52,000 to date.
- She is working on a Drive-In movie theater and would like to utilize the parking lot west of the Powerhouse. Wall School Board approved attaching the screen to the west side of the building. The parking would be on the city parking lot and questioned if this would be permitted. It was a consensus of the council she could move forward with her plans for the location. She will need to check on electricity, along with finalizing some other things.
- After working with Black Hills Council of Local Government on the Industrial Park ordinance for several months, Stone presented a rough draft to the council. Motion by S Anderson, second by Haerer to move forward with the amendment process on the Zoning Ordinance.

Jennifer Sietsema with Black Hills Council of Local Government addressed the council on the comprehensive plan.

- community input goes into the plan.
- zoning areas will be identified. Zoning and a Comprehensive plan go hand in hand.
- Sietsema is working on the mine in Black Hawk so the timeline has been pushed out but should begin mid to late July.
- They will begin with things, such as mapping, that will not need public engagement.
- There will be public meetings held and surveys sent to residents for input.
- The pandemic may affect the timeline for the public meetings.
- The cost will be \$10,000, all-inclusive except for the publishing costs.
- The city will receive an electronic copy of the comprehensive plan, with paper copies available. New updated maps will be included.

Motion by S Anderson, second by Haerer to approve the agreement for the Comprehensive Plan. Motion carried.

Motion by Haerer, second by Morgan to approve the second reading of Ordinance 20-02; amending Business License & Regulations. S Anderson was contacted by Jim Coats with concerns. Anderson encouraged him to bring his concerns to the council meeting tonight, but he did not attend. Haerer asked when serving alcohol could begin. FO Anderson explained it will be effective July 1, and paperwork will be sent to the state, for the businesses to have the license by then. Motion carried.

Motion by S Anderson, second by Haerer to approve Resolution 20-09, Restaurant Liquor license fee. FO Anderson explained the South Dakota Department of Revenue requires a resolution for first time licenses. Motion carried.

Assistant Finance Officer (AFO) Thompson explained Ryan Dinger had inquired on having local food trucks available at the baseball games because they will not have concessions. Huether mentioned there is nothing in ordinance to regulate food trucks and may need looked at for the future. After some discussion, it was a consensus of the council to allow only local food trucks due to the COVID pandemic to set up for baseball games. Thompson asked if the city would provide hand sanitizer if they don't have any available. The council agreed.

Motion by Haerer, second by S Anderson to approve Andrew Law for coaching baseball. Motion carried.

FO Anderson explained the fireworks display schedule will need approval for insurance purposes. It will be brought back to the next meeting with a scheduled date.

Motion by S Anderson, second by Haerer to approve Airport "Cares Act" Grant agreement. Motion carried.

FO Anderson received suggested waivers thru SDPAA regarding COVID for baseball and the pool. Morgan feels it would be a good idea to have them. FO Anderson will get more information for the pool waiver. She will include the baseball waiver with the current waiver.

Motion by S Anderson, second by Haerer to approve the Plat in Kelly Subd #4, that will clean up some property lines. Both parties agree on the plat. Motion carried.

Mayor Huether reported:

- In light of the virus situation and the loss in sales tax revenue, he feels the budget committee should start meeting for a plan with the 2021 budget.
- Governor Noem is looking at lost revenues for cities. FO Anderson has been tracking expenses due to the pandemic to submit.
- An order for 4,800 fabric masks, have been ordered through “Masks for Mayors” program, which were free of charge and donated by Bella + Canvas, a company in California. They will be distributed to people in Wall who need them.

FO Anderson reported the audit should be complete by the end of the month. They are asking for comments on the effect of COVID-19. She may be reaching out for councilmen comments.

FO Anderson shared the Attorney’s question for the Initiative Ballot, concerning term limits with the council. Husted asked if it will be in the paper. FO Anderson responded it would, along with a ballot sample.

AFO Thompson reported she is working on getting the pool open June 5th. An ad will be in the paper with opening information and safety procedures. Thompson will purchase a no-touch thermometer.

Public Works Director (PWD) Bryan reported:

- They have been helping with the Veteran’s Memorial and bike repair station
- Have been mowing and one mower broke down today and will have to be taken for repair. Will check rental while it is being fixed.
- Baiting mosquitoes.
- Haerer asked about the measurements on Purlsey’s building permit. Bryan will check.
- Huether asked if Bryan had met with Dana Foreman with KLJ about street repairs. He has not been able to yet.
- Will check the stop sign by the park to see if it needs replaced.

Items for discussion – no action will be taken: Morgan mentioned, since there was discussion about the mine in Black Hawk, the council needs to keep in mind for the future, the Eisenbraun property on Creighton Road was a ditch that was filled in with junk and covered. They wouldn’t want someone to build a house there. WEDD Stone mentioned the council will need to look at David Eisenbraun’s property on Fourth Avenue for the tax rebate next year. He changed the property zoning from commercial to residential, so it will be on the new construction tax rebate for next year. Husted mentioned a large dog was running loose by the bike path. Deputy Kari Smith was able to catch the dog. She handled the situation very well.

Next City Council meeting will be June 4th at 6:30pm.

FO Anderson mentioned the office is closed July 3rd, which will make it hard to do follow up from the regular July 2nd council meeting and asked if they wanted to change both of the July meeting dates. It will be decided at the next council meeting.

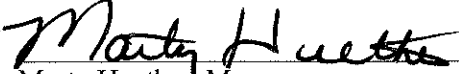
Motion by Haerer, second by S Anderson to move to Executive Session for the purpose of discussing legal/personnel issues according to SDCL 1-25-2 at 8:20pm. Motion carried.

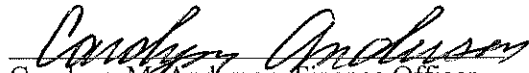
Mayor Huether declared the meeting out of Executive Session at 9:03pm.

Motion by Haerer, second by S Anderson to approve lifeguards and wages as follows:
Mercede Hess-Pool Manager and WSI instructor at \$13.50 per hour

Nathan Law-Asst. Manager and WSI instructor at \$12.00 per hour
Lillyanna Wagner-Lifeguard at \$11.50 per hour
Ava Dinger-Lifeguard at \$11.50 per hour
Kassidy Sawvell-Lifeguard at \$11.50 per hour
Korra Westby-Lifeguard at \$11.50 per hour
Tack Times-Lifeguard at \$11.50 per hour
Motion carried.

With no further business to address, Huether adjourned the meeting at 9:04pm.


Marty Huether, Mayor


Carolynn M. Anderson, Finance Officer

Published once at the approximate cost of _____.

CITY BILLS
May 21, 2020


May 21, 2020 Bills:


Black Hills Chemical	CC supplies	\$44.23
City of Wall	bridge gap funding	\$734.25
Hawkins Inc.	water treatment	\$245.16
One Call	locate requests	\$8.96
Servall Uniform	cc rugs-mops	\$59.70
Wall Badlands Chamber	BBB funds	\$717.51
Waste Connections	bridge gap funding	\$2,179.50

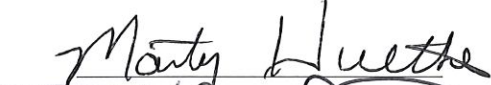

Additions

A&B Business Solutions	copier usage	\$104.12
DENR	wastewater/drinking water fees	\$390.00
KLJ	airport engineering	\$11,200.00
Wall Rodeo Booster Club	budget for PRCA rodeo	\$10,900.00
Allen, Dan	water deposit refund	\$31.50
Hamann, Brandon	water deposit refund	\$180.00
TOTAL BILLS:		<u>\$26,794.93</u>

Approved by the Wall City Council this 21st day of May 2020





FIRE DEPARTMENT BILLS
May 21, 2020


May 21, 2020 Bills:

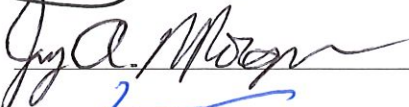
First Interstate Bankcard	sanitizer/amazon prime	\$1,225.99
Golden West	phone-internet	\$134.35
Wall Building Center	supplies	\$28.72

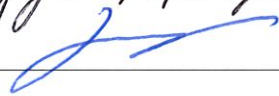
Additions


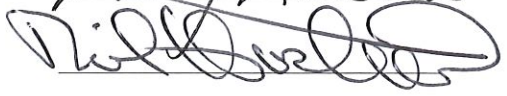
TOTAL BILLS: **\$1,389.06**

Approved by the Wall City Council this 21st day of May 2020







LIBRARY BILLS

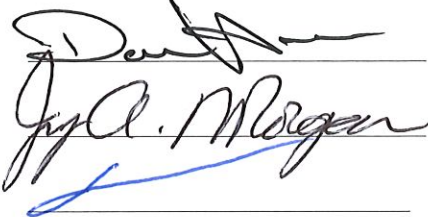
May 21, 2020

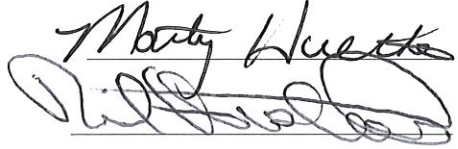
May 21, 2020 Bills:

Collaborative Summer Reading materials for summer reading \$226.35
Additions

TOTAL BILLS: \$226.35

Approved by the Wall City Council this 21st day of May 2020





Wall Community Center Report

May

4	COVID-19 Update Mtg.	MR	8:30 AM
7	City Council Mtg.	GH	6:30 PM
11	COVID-19 Update Mtg.	MR	9:30 AM
12	Badlands Quilters	GH	9:00 AM
15	Library Board Mtg.	GH	12:00 PM
19	COVID-19 Update Mtg.	MR	9:30 AM
20	Pennington Co. Grazing Assoc. Mtg.	GH	5:00 PM
21	City Council Mtg.	GH	6:30 PM
26	Badlands Quilters	GH	9:00 AM
26	COVID-19 Update Mtg.	MR	9:30 AM
27	WEDC Board Mtg.	MR	7:00 PM

June

2	Primary Election	GH	6:00 AM
2	COVID-19 Update Mtg.	MR	9:30 AM
4	City Council Mtg.	GH	6:30 PM
9	COVID-19 Update Mtg.	MR	9:30 AM
11	Legion Mtg.	MR	7:00 PM
15	Teacher Training	GH	8:00 AM
16	City Election	GH	6:00 AM
16	COVID-19 Update Mtg.	MR	9:30 AM
18	City Council Mtg.	GH	6:30 PM
23	COVID-19 Update Mtg.	MR	9:30 AM
24	WEDC Board Mtg.	MR	7:00 PM
30	COVID-19 Update Mtg.	MR	9:30 AM

Respectfully Submitted,

Kelsey Clark

ORDINANCE 20-02

AMEND BUSINESS LICENSES AND REGULATIONS - CHAPTER 5.08

BE IT ORDAINED, by the City of Wall, South Dakota that Chapter 5.08.010 "Definitions" includes, the following:

"Bar," any permanently installed counter within the restaurant area from which alcoholic beverages are regularly served to customers by a person who is tending bar or drawing or mixing alcoholic beverages.

"Full-service restaurant," any restaurant at which a waiter or waitress delivers food and drink offered from a printed food menu to patrons at tables, booths, or the bar. Any restaurant that only serves fry orders or foodstuffs such as sandwiches, hamburgers, or salads is not a full-service restaurant.

"Restaurant," any area in a building maintained, advertised, and held out to the public as a place where individually priced meals are prepared and served primarily for consumption in such area and where at least sixty percent of the gross revenue of the restaurant is derived from the sale of food and nonalcoholic beverages. The restaurant shall have a dining room or rooms, a kitchen, and the number and kinds of employees necessary for the preparing, cooking, and serving of meals.

BE IT ORDAINED, by the City of Wall, South Dakota that Chapter 5.08.040, be amended to read as follows:

5.08.040 License classes, limitations and fees.

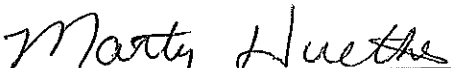
The city shall offer the following licenses that are provided in SDCL Ch. 35-4. The fees shall be set as follows and may be changed by resolution:

- A. Package (off-sale liquor) license:
 - a. The initial fee for this license shall be set by the Common Council but may not be less than five hundred dollars (\$500.00).
 - b. The renewal fee for this license is five hundred dollars (\$500.00) per year.
- B. Retail (on-off) sale malt beverage and South Dakota farm wine license:
 - a. The initial fee for this license is three hundred dollars (\$300.00).
 - b. The renewal fee for this license is three hundred dollars (\$300.00) per year.
- C. Retail (on-off) sale wine and cider license:
 - a. The initial fee for this license is five hundred dollars (\$500.00).
 - b. The renewal fee for this license is five hundred dollars (\$500.00) per year.
- D. Retail (on-sale) liquor license:
 - a. The initial fee for this license is one thousand four hundred dollars (\$1,400.00).
 - b. The renewal fee for this license is one thousand four hundred dollars (\$1,400.00) per year.
- E. Retail (on-sale) full-service restaurant license:
 - a. The fee for this license shall be set by the Common Council by resolution and may not be less than one dollar (\$1.00) for each person residing within the city as measured by the last preceding federal census.
 - b. The renewal fee for this license is three hundred dollars (\$300.00) per year.


- c. An applicant for this license shall provide documentation to the Finance Officer that the applicant meets all requirements of state law.
- d. In its initial application, an applicant for this license must provide documentation to the Finance Officer to provide that the primary source of revenue of the restaurant will be derived from the sale of prepared food and nonalcoholic beverages and not from the sale of alcoholic beverage. This supporting documentation is confidential.
- e. Before this license will be renewed, the licensee must submit a report to the Finance Officer verifying under oath that at least sixty percent of gross operating revenue generated over the preceding twelve-month period was derived from the sale of food and nonalcoholic beverages. The report shall contain the annual gross revenue of food and nonalcoholic beverages and total gross revenues. This report will be confidential.

This ordinance shall take effect twenty (20) days after the date of publication pursuant to SDCL-9-19-13.

Dated at Wall, South Dakota this 7th day of May 2020.



Marty Huether, Mayor



Carolynn Anderson, Finance Officer

First reading: May 7, 2020
Second reading: May 21, 2020
Published: June 4, 2020
Effective: July 1, 2020

RESOLUTION 20-09

A RESOLUTION TO SET THE FEES FOR RESTAURANT LIQUOR
LICENSE

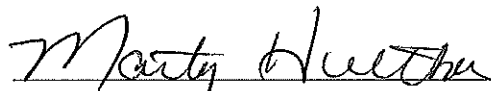
WHEREAS, the Wall City Council has approved issuing restaurant liquor licenses by amending Chapter 5.08; and

WHEREAS, the fee for such license is required to be set for ten (10) years without being changed according to SDCL 35-4-116; and

WHEREAS, the first-time fee for a restaurant liquor license shall be one thousand five hundred dollars (\$1,500.00) and the annual renewal fee will be three hundred dollars (\$300.00); and

NOW THEREFORE BE IT RESOLVED the Wall City Council has set the first-time fee for a restaurant liquor license at \$1,500.00, and the annual renewal fee for \$300.00 and these fees shall not be changed until May of 2030.

DATED at Wall, South Dakota this 21st day of May 2020.


Marty Huether, Mayor

CITY OF WALL
CORPORATE SEAL
SOUTH DAKOTA

ATTEST:

Carolyn M. Anderson, Finance Officer