

City of Gregory

City Council Meeting Minutes

Monday, March 18, 2024 | 6:00 PM

Gregory City Hall, 120 W 6th St, Gregory, SD 57533

The Gregory City Council met in regular session on Monday March 18, 2024, at 6:00 pm with Mayor Al Cerny presiding. The following City Council members were present: Kristi Drey, Guhner Kepler, Ashley Lozano, Cory Graber and Darwin Grim. Absent was Maurice Schlaht. Also present were News Reporter Patty Connealy, City Attorney Amy Bartling Jacobsen, Library Director Tara Engel, GED Director Rachelle Bloom, and Finance Officer Trudy Waterman. Also present were Ryler Stevicks, Curt Sinclair, Laura Petersen, and David and Mary Peabody.

The meeting was opened at 6:00 pm with the Pledge of Allegiance.

Agenda Corrections/Additions/Approval Motion to add the discussion of property located between 9th & Logan and 9th & Rice made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

Approval of Regular Council Minutes from March 4, 2024 Motion to approve minutes from March 4, 2024, meeting as written made by Darwin Grim, seconded by Kristi Drey. All ayes. Motion carried.

Public Forum – None

Department Head Reports - Library Director Tara Engel presented the Council with the annual report that she is submitting to the SDPL. Ms. Engel highlighted to the Council the Gregory Public Library has 18,000 books, access to 40,981 eBooks, access to 16,516 audiobooks, and 1,579 patrons. In 2023 the library conducted 71 programs with 1,030 participants.

Committee Reports - Ashley Lozano, Kristi Drey and Guhner Kepler met with GED Director Rachelle Bloom and other GED members to discuss the empty lots at 509 and 511 Main St. The combined committee discussed business vs. park and submitted a plan to the Council that would offer the lots to a community member under an incentivized program. The City of Gregory would accept business proposals for a set amount of time and require business plans, and a funding plan and would have a list of stipulations regarding a building timeline and a business to be opened timeline as well as expectations of building design. Providing there is no interest in the lots for a business or a viable business, the lots could become a city park space under the design of the GED group and remain a park. The discussion was again tabled until numbers were received from the insurance company regarding park liability and the respective committees had discussed the newspaper presentation post and addressed some new questions.

Cory Graber reported that the Pool Committee has raised more funds so far this year. The Frank Days Fish Fry brought in \$1300, The Activity Fund donated \$5500, and an anonymous donor gave their winnings from the Fireman’s Raffle to the pool fund-\$500. The Pool Committee has an upcoming event Polka & Pies on March 27 from 7-10. And the raffle ticket sales for the Bronco have slowed down, but the Pool Committee will have the Bronco out this spring.

Conflict of Interest - None

New Business:

- A. Board of Equalization** - Motion to move to the Board of Equalization made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

Caleb DuFrane; 1014 Spencer Ave Parcel 5740 S 20' Lot 2; All Lot 3 Block 26. This objection was filed before March 14, 2023, by Caleb DuFrane and Samantha Sperl citing an excessive rate of increase as the house was partially gutted by fire and was down to bare studs for renovation. The original rate decrease was for the structure from \$93,309.00 to \$40,000.00 until the house was livable. The amount of the assessment for the Lot, \$5,544, was uncontested. On March 14, 2024, a fire leveled the structure. On Monday March 18, 2024, the Gregory City Council voted to put the assessed value of the structure to \$0 and keep the Lot assessment at \$5,544. Motion to reduce the structure value to \$0.00 made by Darwin Grim, seconded by Kristi Drey. All ayes. Motion carried. Motion to move from the Board of Equalization made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

- B. Board of Adjustment** - Motion to enter Board of Adjustment made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

Jeffery Skalla Building permit for a garage approved by the PNZ. Motion to approve the building permit made by Kristi Drey, seconded by Guhner Kepler. All ayes. Motion carried.

Motion to exit Board of Adjustment made by Kristi Drey, seconded by Darwin Grim. All ayes. Motion carried.

- C. Petting Zoo** - Motion to approve the Easter petting zoo at 621 Main made by Cory Graber, seconded by Darwin Grim. All ayes. Motion carried.

- D. Golf Cart Ordinance** - Motion to approve the final reading of Ordinance 2024-01 regulating the use of golf carts on the city streets made by Kristi Drey, seconded by Darwin Grim. All ayes. Motion carried.

- E. Chickens at-Large** - Council members cited calls and instances of chickens free roaming. The Finance Administration and Police Chief Ryan Cook, reviewed *Ordinance No. 2017-09. Section 91.01 Definitions lists chickens under the sub-heading of livestock. Section 91.27 Running At Large Prohibited – Anyone having livestock within the corporate limits of the city shall keep the same from running at large and shall be subjected to a \$25 fine for each animal that is allowed to run at large.*

- F. Delinquent Rent/Utility Accounts** - The Council committed to offering the Assistant Finance Officer support regarding water shut-offs with delinquent accounts. The Council will draw up a plan regarding the handling of delinquent rents and provide a written policy for the future.

- G. Auditorium Roof Quotes** - The City of Gregory received two quotes to fix the Auditorium roof. Willuweit submitted a quote to fix the westside of the auditorium, the entrance and lobby roof, for the amount of \$20,871.00 with a 15-year warranty and \$22,071.00 with a 20-year warranty. This would be a Duralast roof. L&D Roofing submitted a quote for the eastside of the roof including the garage area and the damage above the steel beam that was fixed. That quote was for \$14,971.00. Fixing just the snow damaged area above the beam was \$4,273.00 and \$981.00.

The Council took no action on these quotes at this time.

- H. Permission to Post Bid for City Street Work** - Mayor Cerny requested permission to publish for bids for the street work and seal coating work proposed for the 42 blocks in the City of Gregory that need repair. All streets east of Spencer Ave will be under the Phase I project, all

streets west of Spencer Ave will be milled and sealed. Motion to grant permission to post for bids made by Ashley Lozano, seconded by Guhner Kepler. All ayes. Motion carried.

I. **Meeting Date Change Monday, April 1, 2024 to Tuesday, April 2, 2024** - Motion to approve the date change for the meeting made by Ashley Lozano seconded by Kristi Drey. All ayes. Motion carried.

la. **9th & Logan and 9th & Rice** - A citizen complaint was presented to the Council regarding the two properties located at the above intersections. The citizens claim that there is an overabundance of items on the owner’s property and the items are spilling onto property that is not the owners. The original clean-up date was set for November 23, 2023, at which time the property owner assured the mayor that it would be cleaned up. The owner of the items has now stated to the mayor that it would all be removed by April 1; the Council agreed to that deadline. If the items are not removed by then, the city will remove all the items on April 2, 2024, at a cost to the owner. Said owner will be notified prior to April 1, 2024, to ensure compliance. Council requested that the Finance Officer invite the Code Enforcement Officer to the next meeting. Motion to allow the property owner until April 1, 2024, to clean up the properties at 9th & Logan and 9th & Rice made by Guhner Kepler, seconded by Cory Graber. All ayes. Motion carried.

J. **Pay Claims** - Councilman Guhner Kepler raised a question regarding a former claim that was paid before more research was done on the invoice. Attorney Amy Bartling suggested that future claims in question be removed from the list and motions made to play claims minus the invoice in question.

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ACE'S BACKHOE SERVICE LLC	BACKHOE WORK	848.61
APPEARA	SUPPLIES/MATERIALS	57.73
B & L COMMUNICATIONS	FIX LIGHTBAR	85.00
BIRKEL DIRTWORK&EXCAVATION LLC	SNOW HAULING	1591.20
CARLA WARNKE	PD-BATTERIES	378.00
COMMERCIAL ASPHALT	OMEGA MIX	7456.00
DIVISION OF CHILD SUPPORT	CHILD SUPPORT	961.46
EFTPS	FED/FICA TAX	4620.71
ELAN FINANCIAL SERVICES	SOFTWARE OFFICE	335.58
GOLDEN WEST	PHONE/INTERNET	910.39
GREGORY COUNTY 4-H	PASS THROUGH GRANT	4635.70
GREGORY PUBLIC LIBRARY	PASS THROUGH GRANT	4635.70
GREGORY TIMES-ADVOCATE	PUBLISHING	1145.50
INSURANCE BENEFITS INC	AIRPORT INSURANCE	5131.00
JERRY'S ELECTRIC &SERVICES LLC	AUD/513 MAIN	16029.16
MCLEOD'S PRINTING & OFFICE SUP	ELECTION SUPPLIES	123.41
MR. AUTOMOTIVE	REPAIRS/MAINTENANCE	883.81
PETTY CASH	POSTAGE	22.12
ROSEBUD FARMERS UNION	FUELS	3666.64
RUNNINGS SUPPLY INC.	SUPPLIES/MATERIALS	72.99

SD DEPT OF TRANSPORTATION	AIRPORT CONFERENCE	100.00
TOMMY LEE CLAUSSEN	REIMBURSEMENT	241.20
TRIPP COUNTY WATER USER DIST	WATER SERVICE	3000.00
VERIZON WIRELESS	CELL PHONES	629.99
Accounts Payable Total		57561.90
Invoices: Paid		5582.17
Invoices: Scheduled		51979.73
Payroll Checks		14027.18
***** REPORT TOTAL *****		71589.08

Motion to pay the claims made by Guhner Kepler, seconded by Ashley Lozano. All ayes. Motion carried.

K. **Executive Session** - 7:30 Motion to enter executive session to discuss legal options made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

7:53 Mayor Cerny took the Council out of executive session. Motion to send a letter to delinquent account holder made by Ashley Lozano, seconded by Kristi Drey. All ayes. Motion carried.

L. **Adjourn** - Motion to adjourn made by Kristi Drey, seconded by Ashley Lozano. All ayes. Motion carried.

Mayor Al Cerny

ATTEST: _____

Finance Officer Trudy Waterman