

Gregory City Council  
Regular Meeting  
08/01/2022

The Gregory City Council met in regular session at the Gregory City Hall (120 West 6th St.) on Monday, August 1, 2022, at the time of 6:00 p.m. The following members were present: Mayor Al Cerny; Council members: Guyla Husman, Ashley Lozano, Kristi Drey, Cory Graber, Guhner Kepler, and Darwin Grim. Also present were City Attorney Amy Jacobsen, Police Chief Doug Catts, News Reporter Patty Connealy.

**Agenda**

Motion was made by Kristi Drey, seconded by Cory Graber, to approve the agenda as written. All members voted aye; the motion carried.

**Minutes**

Motion was made by Guyla Husman to approve the minutes from the 7/18/22, with one correction that Cory Graber voted nay of the first bid opening on the previous minutes, seconded by Ashley Lozano. All members Voted aye; the motion carried.

**No Public Forum**

**Dept. Head Reports**

Mayor Cerny reported that SPN, our city engineering firm, has started surveying Gregory for the large city-wide project that is in the works. Mayor encouraged citizens that if you see stakes, flags, or any marking in your yard to please not disturb them. Chief Catts reported the Police Dept is planning on hosting a picnic at the pool on their last day open which will be August 11<sup>th</sup>. Chief also reported that there will be a police presence at the state legion baseball tournament.

**No Committee Reports**

**Conflict of Interest**

Nobody had a conflict of interest with the new business portion of the agenda.

**New Business**

Motion was made by Kristi Drey, seconded by Ashley Lozano, to enter the Board of Adjustment. All members voted aye; the motion carried. Mayor Cerny presented building permit 2022-21, Darlene Dennison building a house. Planning and zoning met and recommended approval. Motion was made by Guyla Husman, seconded by Ashley Lozano, to approve building permit 2022-21. All members voted aye; the motion carried. Motion was made by Kristi Drey, second by Guhner Kepler, to adjourn as the board of adjustment. All members voter aye, the motion carried.

### *Gregory Drug*

Finance Officer Hamilton reported that Karley Arzimendis with Gregory Drug had approached him asking permission to move their propane tank on to city property to allow them to have a larger tank. They are currently having to have propane delivered roughly every two days in the winter due to having a small tank. Hamilton checked with Cenex and any tank over 100 gallons needs to be at a minimum of twenty feet from any structure. The Council decided to have city attorney draw an agreement between the City and Gregory Drug to allow this.

### *Vanderpol Pay Request #5*

Mayor Cerny reported that pay request #5 from Vanderpol Dragline is included in the claims and will be approved with the approval of paying the claims.

### *Covenant of Use Restriction*

Finance Officer Hamilton presented a covenant of use restriction that CBC DT LLC the company building the new Dollar Tree has presented. The covenant creates a use restriction as wrote. The restricted property shall not be used for the operation of a Dollar General store of operation of a store by any parent, affiliate, or subsidiary company of dollar of a Dollar General. In addition, no portion of the restricted property immediately adjacent to the CBC property shall be used for any noxious or illegal uses. The operation of a medical or recreational marijuana dispensary shall not be deemed a violation of the restricted use as long as the entrance door to the medical or recreational marijuana dispensary is no closer than 150 linear feet from the front door of the dollar store located on CBC property. Motion was made by Guyla Husman, seconded by Ashley Lozano, to approve the covenant of restrictions. Kristi Drey withstood from voting. All other council members voted aye; the motion carried.

### *TIFF Update*

Mayor Cerny reported that he has spoken with Toby Morris with Colliers Securities LLC. Toby is who our city engineer recommended to work with. Mayor and Toby are planning to set up a conference call with our county assessor to make sure a TIFF district will work in our commercial and industrial development of Grandview.

### *Financial Report*

Finance officer Hamilton provided council with balances of our general fund \$1,303,556.63, Water fund \$326,839.29, and Sewer fund \$644,567.81. Hamilton also provided a budget report and revenue report up to June.

### *Legal Update*

Attorney Amy Jacobsen gave a brief report that the citizen protection order filed against Chief Catts was dismissed by the courts. Amy also stated that she has filed to have the city's attorney fees paid by the petitioner.

**Claims**

AFLAC	AFLAC INS	214.24
BEACON ATHLETICS LLC	BASEBALL CHALKER & DRAGS	1999.00
DIVISION OF CHILD SUPPORT	CHILD SUPPORT	126.92
EFTPS	FED/FICA TAX	5094.13
GREGORY AMBULANCE SERVICE	REFUND TREASURY PAYMENTS	3093.33
GREGORY BUILDING CENTER	BRUSHES,CONCRETE,LUMBER,SCREWS	1284.88
MARK JACOBSEN	MOWER PARTS	109.50
HAWKINS INC	POOL CHLORINE CYLINDER FEE	20.00
HEALTH POOL OF SD	HEALTH INSURANCE	5238.38
HELMS & ASSOCIATES	AIRPORT RUNWAY RECON	209.21
JERRYS ELECTRIC & SERVICES LLC	SUBMERSIBLE WELLS PUMPS	1460.72
KLEIN'S TRUE VALUE	PARK TP, TOWELS, PINESOL	300.63
PETTY CASH	REIMBURSEMENT	13.20
PUBLIC HEALTH LABORATORY	WATER DEPT WATER TESTING	43.00
RACHELLE BLOOM	GOED MEETING IN SF MILEAGE REIM	173.75
SCHMUCKER PAUL NOHR AND ASSOC	FIRST & LOGAN AVE ENGINEER	21752.91
SDRS	SD RETIREMENT	5059.18
SDRS SUPPLEMENTAL RETIREMENT	SUPPLEMENTAL RETIREMENT	800.00
US POSTAL SERVICE	WATER BILLING POSTAGE	267.08
VANDERPOL DRAGLINE INC	FIRST STREET AND LOGAN RAILWAY	245424.76
WENGER ENTERPRISES LLC	POOL CONCESSIONS	1084.45
WM KROTTER CO	FIELD MARKER, KEYPAD, PAINT	625.41
Accounts Payable Total		294394.68
Payroll Checks		20464.67
***** REPORT TOTAL *****		314859.35
GENERAL FUND		305115.34
3RD CENT SALES TAX		1627.94
WATER FUND		7530.08
SEWER FUND		585.99
TOTAL FUNDS		314859.35

Motion was made by Ashley Lozano, seconded by Kristi Drey to pay the claims. All members voted aye. The motion carried.

Motion was made by Guyla Husman seconded by Ashley Lozano, to adjourn. All members voted aye.

ATTEST: \_\_\_\_\_  
Finance Officer: Alexander Hamilton

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Mayor: Al Cerny