

Gregory City Council
Regular Meeting
09/19/2022

The Gregory City Council met in regular session at the Gregory City Hall (120 West 6th St.) on Monday, September 19, 2022, at the time of 6:00 p.m. The following members were present: Mayor Al Cerny; Council Members: Ashley Lozano, Kristi Drey, Cory Graber, Guhner Kepler, and Darwin Grim, absent Guyla Husman, City Attorney Amy Jacobsen, Police Chief Doug Catts, News Reporter Patty Connealy, Librarian Tara Engel, Planning and Zoning President Sam Flakus, guest Brian Mori.

Public Hearing Gregory Planning Commission on the Creation of Tax Increment District #1:

Mayor Cerny asked if anyone in the council room would like to speak on the creation on the TIF district, received no response. Planning and Zoning President Sam Flakus presented that the planning and zoning has met and recommends approval unanimously. Mayor Cerny asked the council to entertain Resolution 2022-05, a Resolution Providing for The Creation of Tax Incremental District Number One, City of Gregory, South Dakota. Motion was made by Kristi Drey to approve Resolution 2022-05 as written, seconded by Darwin Grim. All Members Voted aye; the motion carried.

RESOLUTION 2022-05

RESOLUTION PROVIDING FOR THE CREATION OF TAX INCREMENTAL DISTRICT NUMBER ONE, CITY OF GREGORY, SOUTH DAKOTA

WHEREAS, the City of Gregory Planning Commission has recommended the District Boundaries for Tax Incremental District Number One, City of Gregory, South Dakota, and has recommended its creation; and

WHEREAS, the City Council, City of Gregory, South Dakota (the "City"), has the powers, pursuant to SDCL § 11-9-5, to create Tax Incremental District Number One, City of Gregory, South Dakota, and to define its boundaries.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** City of Gregory, South Dakota, declares the necessity for the creation of Tax Incremental District Number One, City of Gregory, South Dakota (hereinafter sometimes referred to as the "District"), pursuant to SDCL Chapter 11-9. Further, the City finds that the improvement of the area within the District is likely to enhance significantly the value of substantially all of the real property in the District and is necessary for economic development within the City of Gregory and the State of South Dakota.
2. **Findings.** The City Council makes the following findings with regard to economic development:
 - a. More than 50% of the property in the District by area will stimulate and develop the general economic welfare and prosperity of the City of Gregory and the State of South Dakota;
 - b. Improvements to the District will significantly and substantially enhance the value of all property within the District;

- c. Development of the District will enhance sales tax revenue for the City of Gregory and the State of South Dakota;
 - d. Development of the District for commercial purposes will improve the quality of life for residents of the City of Gregory by providing more employment opportunities and generation of taxes for the City.
3. **Findings of Maximum Percentage of Tax Incremental Districts.** The aggregate assessed value of the taxable property in the District, plus all other tax incremental districts does not exceed ten (10%) percent of the total assessed valuation of the City.
4. **Findings of Annual Appropriation TID.** Tax Increment District #1 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.
5. **Creation of District.** There is hereby created, pursuant to SDCL Chapter 11-9, Tax Incremental District Number One, City of Gregory, South Dakota. The District is hereby created on the day this Resolution becomes effective which shall be twenty (20) days after publication of this Resolution.
6. **Designation of District Boundaries.** The District shall be located with the northern, southern, western, and eastern boundaries of the following described real property:
 - Lot I of Block 2, Lots J and K of Block 3, Lots G and H of Block 4, Lots E and F of Block 6 All in the SW ¼ of the SE ¼ of Section 12 and Lot A of Block 8 in the NW ¼ of the NE ¼ of Section 13; T97N, R73W of the 5th PM, Grandview Addition to the City of Gregory, Gregory County, South Dakota.
 - Lots 2A-7, Block 8 of Gregory Grandview Addition to the City of Gregory, Gregory County, South Dakota.
6. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL 11-9-31, a Tax Incremental District Number One Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number One shall be deposited into the Tax Incremental District Number One Fund. All funds in the Tax Incremental District Number One Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9.

Passed and approved this 19th day of September 2022.

CITY OF GREGORY

Mayor, Al Cerny

ATTEST:

Alex Hamilton, Finance Officer

Publish:09/28/2022

Agenda

Motion was made by Kristi Drey, seconded by Guhner Kepler to approve the agenda as wrote. All members voted aye; the motion carried.

Minutes

Motion was made by Darwin Grim to approve the minutes from the 9/06/22, seconded by Kristi Drey. All member voted aye; the motion carried.

No Public Forum

Dept. Head Reports

Librarian Tara Engel reported that the library has been busy. Tara reported that security cameras have been installed and the board has approved to purchase to more cameras. Engel also reported that she will be attending a conference at the end of the month. Police Chief Doug Cats stated that he had nothing to reported and asked the council in they had any questions for him. No questions were asked.

Committee Reports

Finance Officer Hamilton reported that he has received a signed purchase agreement with a full price offer for Lot 2A in Grandview and has turned it over to the title company for closing. Hamilton also stated the Employee Marty Jung has Successfully completed his CDL and will receive his \$.50 raise. Hamilton closed by asking the council if he could attend the South Dakota Municipal League Convention the first week in October. Council encouraged Hamilton to attend.

Conflict of Interest

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

New Business

Building Permits

Motion was made by Kristi Drey, seconded by Ashley Lozano to enter the Board of Adjustment. All members voted aye; the motion carried. Planning & Zoning President Sam Flakus presented building permit 2022-22 Don Fiebelkorn building a Carport,2022-23 Isaac Kieffer building a fence, and 2022-24 Tri-City Sign installing a sign @ Ranch House Antiques. Planning and zoning met and recommended approval on all permits with a variance on 2022-22 due to not meeting the setbacks and moving the fence 3 inches East on permit 2022-23. Motion was made by Ashley Lozano, seconded by Kristi Drey to approve building permits 2022-22, 2022-23, and 2022-24 with the planning and zoning recommendations. 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.

Municipal Advisor Agreement Colliers Securities.

Mayor Cerny presented the municipal advisor agreement with Colliers Securities for \$13,500. Mayor explained that this agreement for Toby Morris's work to create the TIF District. Motion was made by Ashley Lozano to approve the agreement with Colliers Securities, seconded by Guhner Kepler. All members voted aye; the motion carried.

2023 Appropriation Ordinance 2022-03 2nd Reading

Mayor Cerny presented Appropriation Ordinance 2022-03 for the second reading. Motion was made by Ashley Lozano, seconded by Kristi Drey to approve the second reading of Appropriation Ordinance 2022-03. All members voted aye; the motion carried.

Ciavarella Design Proposals City Hall & City Shop

Mayor Cerny presented two proposals from Ciavarella Design, being city hall \$20,570 and city shop \$21,250. Mayor stated that due to bids laws anything over 100,000 must put out for bids with architectural designs. Mayor commented that our current city hall is starting to show its age and being outgrown. Rural Development also has stated to keep receiving government funds our city hall must be ADA compliant. The city shop building still needs to be replaced from collapsing under snow load. Ashley Lozano asked if any other architect firms reached out. Mayor Cerny stated that we did not receive anything, so we reached out to Ciavarella since the BID group is working with them. Motion was made by Ashley Lozano to approve both proposals from Ciavarella Design for a total of \$41,820.00, Darwin Grim seconded. All members voted aye; the motion carried.

Resolution 2022-04 City Wide Street Maintenance Resolution

Mayor Cerny presented Resolution 2022-04 a resolution to levy a front foot assessment for the annual maintenance of street surfaces as provided in SDCL 9-43-193. Mayor recommended not changing the dollar amounts from \$.60 per foot with the amount not to exceed \$90.00. Motion was made by Ashley Lozano to approve Resolution 2022-04 as wrote, seconded by Cory Graber. All members voted aye; the motion carried.

CITY WIDE STREET MAINTENANCE RESOLUTION
Resolution 2022-04

A RESOLUTION OF THE CITY OF GREGORY TO LEVY A FRONT FOOT ASSESSMENT FOR THE ANNUAL MAINTENANCE OF STREET SURFACES AS PROVIDED IN SDCL 9-43-138.

WHEREAS SDCL 9-43-138 allows a municipality to levy annually, for the purpose of maintaining or repairing street surfacing or pavement, a special front foot assessment per front foot upon the lots fronting and abutting the city street; and

WHEREAS the City of Gregory maintains and repairs street surfaces on the streets within the city Limits.

NOW THEREFORE, IT IS HEREBY RESOLVED that the City of Gregory shall levy a special front foot assessment pursuant to SDCL 9-43-138 in the sum of Sixty (.60) per front foot, with the amount not to exceed \$90.00 on any lot, upon all taxable lots in the City of Gregory fronting on a street with the amount of the assessment against each lot or portions thereof as set forth on the assessment roll on file with the finance officer, to certify the assessment to the county auditor to be collected as municipal taxes for general purposes.

Dated this 19th day of September 2022.

Mayor Al Cerny

ATTEST:

Finance Officer Alexander Hamilton

Special One Day Alcohol Gregory Auditorium Area Healthcare "Luau on Over"

Mayor Cerny presented that the Gregory Healthcare foundation is hosting their annual fundraiser on September 24th and applied for a special one-day alcohol for the event. Motion was made by Darwin Grim, seconded by Kristi Drey to approve the Special One Day Alcohol for the Gregory Health Care Foundation. All members voted aye; the motion carried.

Chamber Christmas Lights

Finance Officer Hamilton reported that Chamber Director Trenton Seegers was unable to attend the meeting so Hamilton would speak on his behalf. Hamilton stated that that chamber board met and approved to purchase new Christmas lights that mount on the street light poles in the amount of \$15,088.00. With purchasing those they are asking the city to purchase the season's greetings banner that would go across Main St for \$7,382.00. Council man Grim asked how long the price is good for to be able to ask Seegers questions at the next meeting. Hamilton stated that he was informed that the price was only good for one week if we wanted the lights to be delivered before Christmas. Attorney Amy Jacobsen stated that the chamber should keep their donation account open at Bankwest with the possibility that the chamber may be able to repay some to the council. Motion was made by Kristi Drey to purchase the Seasons Greetings banner with the chamber paying back the city when funds are available, seconded by Darwin Grim. All members voted aye; the motion carried.

Claims

ACCOUNTS MANAGEMENT INC.	GARNISHMENT	155.65
APPEARA	TOWELS,HANDCLEANER,COVERALLS,MATS	80.86
BURKE OIL COMPANY	AIRPORT FUEL	11063.00
CARDMEMBER SERVICE	SDML CONF LODGING/GOOGLE WORK	271.07
CODE ENFORCEMENT SPECIALISTS	CODE ENFORCEMENT FEE	1306.05
CORE & MAIN LP	WATER HYDRANT EXTENSIONS	877.60
DIVISION OF CHILD SUPPORT	CHILD SUPPORT	126.92
EFTPS	FED/FICA TAX	4466.98
FAHRNER ASPHALT SEALERS LLC	MAIN ST STRIPING	3199.50
GOLDEN WEST TELECOMMUNICATIONS	PHONE/INTERNET CHARGES	923.34
GRAHAM TIRE MITCHELL	TIRES FOR FORD EXPLORER	642.48
GREGORY COUNTY HIGHWAY DEPT	ROAD MAINTENANCE	240.00
GREGORY PUBLIC LIBRARY	FEES/BOOKS/SUPPLIES	1317.40
HARRY K NAPA	DEICER/OIL,STOPLEAK,ANTIFREEZE	76.28
HAWKINS INC	CHLORINE CONTRL VALVE/CYLINDER FEES	3181.50
HELMS & ASSOCIATES	AIRPORT RUNWAY RECONS ENGINEERING	518.81
JIM'S GARBAGE SERVICE	GARBAGE PICKUP SERVICE	400.00
LANES DIESEL REPAIR LLC	REPAIRS RED TRUCK	410.00
MARTY JUNG	REIM CDL DRIVING EXAM/MEALS	127.85
MR. AUTOMOTIVE	BATTERIES-EXIT SIGNS	230.19
OFFICE PRODUCTS CENTER	SERVICE CONTRACT	38.41
PETTY CASH	REIMBURSEMENT	2.16
ROSEBUD FARMERS UNION	PROPANE/GAS/UPS SHIPPING/TIRE REP	3021.91
SOUTH DAKOTA MUNICIPAL LEAGUE	SDML CONFR REGISTRATION (2)	200.00
VERIZON WIRELESS	CELL PHONE CHARGES	488.62
Accounts Payable Total		33366.58

Invoices: Paid
Invoices: Scheduled

4749.55
28617.03

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 Kristi Drey, seconded by Ashley Lozano to adjourn. All Members voted aye; the carried.

ATTEST: _____
Finance Officer: Alexander Hamilton

Mayor: Al Cerny