

Monday December 19th, 2022

The Martin City Council met in Regular Session on Monday, December 19th, 2022 at 5:30 p.m. in the city office at 101 Main Street.

Mayor Gary Rayhill called the meeting to order with council members, Tootie Moffitt, Gloria Claussen, Gregg Claussen, Lindsee Harris, Kevin Rascher and Jay Yohner present. Absent, none.

Others present were Marj Frew with the Bennett Co Booster, Ernest Libby, Robert Fogg, BC States Attorney Sara Harris, Police Chief Brandon Petersen, City Foreman Paul Noel, and Finance Officer Jean Kirk.

Approval of Agenda: Yohner moved to approve the agenda with flexibility. Gloria Claussen seconded the motion. All in favor, motion carried.

Minutes: Gloria Claussen moved to approve the November 14th minutes. Harris seconded the motion, all voting aye, motion carried.

Finance Officer's Report: Gregg Claussen moved approve the Finance officer's report for November. Seconded by Moffitt, all voting aye, motion carried.

Beginning Balance on Hand	\$3,905,472
November Receipts	163,399
Total to be accounted for	4,068,871
Transfer In	56,094
Transfer Out	56,094
Disbursements	182,173
Outstanding Warrants	14,810
CD & Petty Cash	22,702

Claims December 2022: The claims were reviewed by the council. Gregg Claussen moved to pay all the December claims. Seconded by Gloria Claussen, all voting aye, motion carried.

Insert December Claims Here

Moffitt moved to approve the payment of \$1163 to the USDA for the lagoon payment. Harris seconded the motion. All voting aye, motion carried.

Code Enforcement: Ernest Libby addressed the Council concerning his trailer at 601 Stover Street. He has started working on it again and asked the council to take him off the abatement list. Yohner entered a motion to give Mr. Libby a six-month extension on the abatement. Gloria Claussen seconded the motion, all voting aye, motion carried.

Rascher entered a motion to remove the property at 909 Far Vu off the abatement list. Yohner seconded the motion, all voting aye, motion carried.

Law: There were 127 total events for November with 127 calls for service and 7 arrests, 2 of those being felony arrests. Officer Skylar Faubion is at the academy and has two months left to go.

Rascher moved to go into executive session concerning personnel SDCL (1-25-2.1) with council, mayor, police chief, and finance officer. Into executive session at 5:45 p.m. out of executive session at 5:59 p.m. No action taken

Election: Rascher moved to combine the city election with the school's election in April. Yohner seconded the motion, all voting aye, motion carried.

Ice Rink: A discussion was entered on putting an ice rink in at the sand volleyball court. Rascher moved to purchase a tarp and try to get an ice rink in on the sand volleyball court. Moffitt seconded the motion, all voting aye, motion carried.

Markota: Yohner moved to have the city fix the ceiling fans at Markota. Harris seconded the motion, all voting aye, motion carried.

Write offs: Yohner moved to approve the list of write-offs presented by the finance officer. Rascher seconded the motion, all voting aye, motion carried.

Alley Closing: A public hearing was held for the alley closing in Block 1 of First Addition. As there was no public opposition to closing the alley Yohner moved to pass Resolution #2022-06. Gloria Claussen seconded the motion, all voting aye, motion carried. **RESOLUTION NO. 2022-06**

**A RESOLUTION VACATING UNUSED ALLEY IN BLOCK 1, FIRST ADDITION,
CITY OF MARTIN**

WHEREAS, a petition of the owners of property abutting Lots 5-7 in Block 1 of First Addition to the City of Martin, Bennett County, South Dakota has been filed with the City Finance Officer, asking that the aforesaid be vacated. Pursuant to SDCL, notice of hearing has duly been given, and said notice was properly published; and

WHEREAS, the hearing was held on December 19, 2022, and the petition has been duly examined and investigated by the City Council of the City of Martin. Testimony in support of said petition has been heard, and no opposition thereto was voiced. Said property, as shown upon the plats attached to and made a part of said petition, has not been used as an alley and no longer serves a useful public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARTIN, SD:

That the above-mentioned alley in the city of Martin, Bennett County, South Dakota, be and the same hereby is declared vacated, and that the City Finance Officer shall cause to be filed with the Register of Deeds, Bennett County, South Dakota, a duly certified transcript of this resolution.

Date adopted: December 19, 2022.

Gary Rayhill, Mayor

ATTEST:

Jean Kirk, Finance Officer

Published once at the approximate cost of \$ _____

Notice of Hearing: November 23, 2022

November 30, 2022

Date of Hearing: December 19, 2022

Date Adopted: December 19, 2022

Date Published: December 28, 2022

Date Effective: January 17, 2022

Speed Limit Ordinance #246: The second reading of Ordinance #246 was held.

**AN ORDINANCE AMENDING SECTION 27 GENERAL MOTOR VEHICLE SPEED LIMITS.
TO MARTIN CITY CODE TITLE FOUR CHAPTER ONE**

BE IT ORDAINED BY THE CITY COUNCIL OF MARTIN, BENNETT COUNTY,
SOUTH DAKOTA:

That Martin Code 4-1-27 be amended to read as follows:

4-1-27 GENERAL MOTOR VEHICLE SPEED LIMITS

It shall be unlawful for any person to operate a vehicle upon the streets or alleys of the City at a greater rate of speed than that fixed by the City Council by ordinance or by posted speed limit signs. In areas in which a speed limit is not posted or otherwise set by ordinance, the speed limit on all streets or alleys of the City shall be 20 miles per hour.

And that Martin Code 4-1-23 TRUCK SPEED AND LOAD ON MAIN STREET shall be repealed.

This Ordinance shall be in force from and after its passage and publication as required by law.

Dated this 19 day of December, 2022.

City of Martin
A Municipal Corporation

Mayor

ATTEST:

Finance Officer

1st Reading 11/14/22

2nd Reading 12/19/22

Published 12/28/22

Effective 1/17/23

Rascher moved to approve the second reading of Ordinance #246 and publish it. Gregg Claussen seconded the motion, all voting aye, motion carried.

1st Reading of ORDINANCE# 247: AN ORDINANCE AMENDING SECTION THREE REQUIRING THE POSTING OF DESIGNATED ADDRESSES ON BUILDINGS TO MARTIN CITY CODE TITLE SIX CHAPTER ONE.

Gloria Claussen moved to approve the first reading of Ordinance #247. Moffitt seconded the motion, all voting aye, motion carried.

Personnel: Yohner moved to rehire Anthony Waters as a full-time employee with a six-month probation at \$13.50 an hour. Gloria Claussen seconded the motion, all voting aye, motion carried.

Surplus: Rascher moved to surplus the 1993 Chevy parks pickup and the portable generator that was given to the fire department several years ago that they no longer need. Yohner seconded the motion, all voting aye, motion carried. Mayor Rayhill appointed Jay Yohner, Gregg Claussen, and Kevin Rascher to appraise them.

Past Due Water Bills: Rascher moved to handle the past due water bills as usual. Moffitt seconded the motion, all voting aye motion carried.

Adjournment: As there was no further business to come before the council at this time, motion to adjourn was entered by Rascher.

The next regular city council meeting will be held January 11th 5:30 p.m. at the library community room.

Dated this 19th day of December, 2022

Gary Rayhill, Mayor

ATTEST: _____
Jean Kirk, Finance Officer

Published once at a total estimated cost of \$