

Wednesday May 8, 2024

The Martin City Council met in Regular Session on Wednesday, May 8th, 2024 at 5:30 p.m. in the Library Community Room at 101 Main Street.

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

Others present, Tim Huether with the Bennett County Booster, Joyce Wilson, Bennett County States Attorney Sara Harris, Bob Fogg, Aaron Risse, James Begeman, Larry Gauer, Randy Kocourek, Tyler Nollett, BC Sherriff Jason Erwin, Police Chief Doug Lucero, Samantha Little Eagle, Faith Cross, Donna Lamont, City Foreman Paul Noel, City Attorney Sara Frankenstein and Finance Officer Jean Kirk.

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

Minutes: Gloria Claussen moved to correct the March 13th minutes by deleting the following paragraph: Sidewalk Flashing Lights: Gloria Claussen moved to have the city take over maintenance on the flashing yellow light by Buche Hardware once the state gets it operational. Moffitt seconded the motion, all voting aye, motion carried.

Gregg Claussen moved to approve the minutes for the April 10th meeting. Peterson seconded the motion, all voting aye, motion carried.

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

Beginning Balance on Hand	\$4,101,990
April Receipts	183,218
Total to be accounted for	4,285,207
Transfer In	14,022
Transfer Out	14,022
Disbursements	140,020
Outstanding Warrants	17,069
CD & Petty Cash	22,702

Claims May 2024: The claims were reviewed by the council. Yohner moved to pay the May claims. Seconded by Moffitt, all voting aye, motion carried.

Insert May Claims Here

Gloria Claussen moved to approve the payment of \$703 to the USDA for the Lagoon payment. Harris seconded the motion. All voting aye, motion carried.

Annual Report: The City of Martin's Annual report for 2023 was reviewed. The City is in a good financial position. Total assets as of 12/31/23 was \$4,097,049. The total of long-term debt is \$962,042. Peterson

moved to approve the Annual Report. Gloria Claussen seconded the motion, all voting aye, motion carried. Published separately in this paper.

Summer Fest: Warren Peterson moved to waive the vendor fees for the day of Summer Fest, June 22, 2024. Gregg Claussen seconded the motion. Voting aye, Gloria Claussen, Gregg Claussen, Warren Peterson, and Cecilia Moffitt. Voting nay, Yohner and Harris, motion carried.

Golf Association: Aaron Risse updated the council on the golf course. The course is in really good condition and they are planning to host a number of tournaments this summer. He asked the council for \$25,000 as they have a couple of equipment payments they need to pay and software upgrades are needed. Gregg Claussen moved to donate \$25,000 out of the BBB Fund to the Golf Association. Gloria Claussen seconded the motion, aye, Yohner, Moffitt, Gloria Claussen, Gregg Claussen, and Warren Peterson. Voting nay, Harris. Motion carried.

Golf Lease: A discussion was held on the golf course lease. Peterson moved to go into executive session concerning contractual matters (SDCL 1-25-2.3 and SDCL 1-25-2.1) with Mayor, Council, City attorney, Finance Officer, Aaron Risse and James Begeman. Into executive session at 6:13 p.m. Out of executive session at 6:30 p.m. Peterson moved to approve the lease for three years instead of 5 years. Gloria Claussen seconded the motion, all voting aye, motion carried.

Meals On Wheels: Larry Gauer addressed the council concerning the Meals on Wheels donations. He mis-spoke last month when he told the council that Meals On Wheels had received enough donations to keep going until the end of the year. They do not have enough money to run until year end and \$5000 a month would really help them out. Yohner moved to table this until the next meeting. Gregg Claussen seconded the motion. All voting aye, motion carried.

Golf Tournament Donation: Faith Cross addressed the council concerning a benefit golf tournament that she is helping to put on. The tournament will be June 1st and all the proceeds will go to the family of Rylea Poor Bear to help with her medical expenses. She asked for \$500 for pin prizes. Harris moved to donate \$500 out of the BBB funds. The money will be paid to the Golf Association and they will use it for the pin prizes. Yohner seconded the motion, all voting aye, motion carried.

Law: There were 95 calls for service, 123 traffic tickets, and 17 arrests, 3 of those being felony arrests. Jace Standing Bear will graduate from the academy May 31st. Officer Anthony Aronov will start the academy on June 3rd.

Yohner Moved to go into executive session concerning personnel (SDCL1-25-2.1) with council, mayor, city attorney, Chief Lucero and Finance Officer Kirk. Seconded by Gregg Claussen, all voting aye, motion carried. Into executive session at 7:05 pm. Out of executive session at 7:30 p.m. Peterson moved to raise Chief Lucero to \$27 an hour and Jace Standing Bear to \$20.00 an hour after he graduates from the academy. Gregg Claussen seconded the motion, all voting aye, motion carried.

Sidewalk Grant Authorization: Yohner moved to authorize Mayor Rayhill to sign the Transportation Alternative funding agreement for the sidewalk project. Peterson seconded the motion, all voting aye, motion carried.

Generator Grant Authorization: Yohner moved to give authorization to Finance Officer Kirk, along with Mayor Rayhill, to sign documents for the generator grant. Peterson seconded the motion, all voting aye, motion carried.

Resolution 2024-6
Designation of Applicant Agent
Declaration Number – DR – 4178-SD

<u>Jean Kirk</u> Name of Applicant's Agent	<u>Finance Officer</u> Title
<u>PO Box 687</u> Business Address	<u>605-685-6525</u> Work Phone
<u>Martin, SD 57551</u> City, State & Zip Code	<u>605-685-6452</u> Fax Number

Jean Kirk (Applicant's Agent), is hereby authorized to execute for and on behalf of the City of Martin (Applicant/Subgrantee), a public entity established under the laws of the State of South Dakota, this application and to file it with the Office of Emergency Management for the purpose of obtaining federal financial assistance under the Disaster Relief Act (Public Law 93-288 as Amended), or otherwise available from the President's Disaster Relief Fund.

That the City of Martin (Applicant/Subgrantee), a public entity established under the laws of the State of South Dakota, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency, for all matters pertaining to such federal disaster assistance the assurances attached to the project application.

Approved by:

(Name and Title)

(Date)

(Signature)

Food Vendor Ordinance: Three examples of the food vendor ordinance were reviewed by the council. Peterson moved to approve the first reading of the version three ordinance. Gregg Claussen seconded the motion all, voting aye, motion carried.

Ordinance No. 258

AN ORDINANCE TO ADOPT REGULATIONS CONCERNING MOBILE FOOD VENDORS BY ADOPTING PROVISIONS IN TITLE #7-1 OF THE CITY OF MARTIN MUNICIPAL CODE

Adjournment: As there was no further business to come before the retiring Council a motion to adjourn was entered by Yohner.

Mayor Rayhill called the City Council meeting to order.

Oath of office was given to Gloria Claussen for a one-year term for Ward I, Warren Peterson for a two-year term for Council Ward I, Randy Kocourek for a two-year term for Ward III and Tyler Nollett for a one-year term for Ward III.

Ward Appointments: Mayor Rayhill appointed Larry Gauer to a one-year term for Ward II. Gloria Claussen moved to accept the appointment. Randy Kocourek seconded the motion, all voting aye, motion carried.

Election of Council President: Gloria Claussen nominated Larry Gauer for president of the Council. Tyler Nollett nominated Warren Peterson. Gauer won, five votes to one.

Election of Council Vice President: Larry Gauer nominated Randy Kocourek. Tyler Nollett nominated Warren Peterson. Kocourek won four votes to two.

Committee assignments: Audit & Finance; Gloria Claussen, Tootie Moffitt and Gary Rayhill. Airport; Larry Gauer, Randy Kocourek. City Improvement; Gloria Claussen, Cecilia Moffitt, Larry Gauer. Economic Development; Tyler Nollett, Randy Kocourek, Warren Peterson. Hodson Park; Tootie Moffitt, Gary Rayhill, Herb Hodson & Clarence Allen. Law Grievance, Enforcement, & Fire; Larry Gauer, Tyler Nollett, Gloria Claussen. Liquor & Souls; Larry Gauer, Warren Peterson. Parks & Recreation; Larry Gauer, Cecilia Moffitt. Wage and Personnel; Larry Gauer, Tyler Nollett. Utilities (water, sewer) Tyler Nollett, Cecilia Moffitt. Street & Alleys; Randy Kocourek, Warren Peterson. Ordinances & Building permits; Gloria Claussen, Randy Kocourek, Tyler Nollett. Health, Sanitation, & Recycling; Warren Peterson, Randy Kocourek. Board of Appeals; City Council. Heritage Center; Gloria Claussen, Tootie Moffitt & Joyce Wilson. Code Enforcement; Warren Peterson, Gloria Claussen, Randy Kocourek, Doug Lucero. Cannabis; Tyler Nollett, Warren Peterson. Building, Health, and Sanitation Official; Chris Rosario, CNP. Larry Gauer moved to approve committee assignments with a second by Gloria Claussen. All voting aye, motion carried

Official Depository: Peterson moved with a second by Kocourek to designate Security First Bank the Official Depository for the City of Martin. All voting aye, motion carried.

Official Newspaper: Peterson moved with a seconded by gloria Claussen designate the Bennett County Booster as the Official Newspaper of the City of Martin. All voting aye, motion carried.

City Attorney: Mayor Rayhill appointed Sara Frankenstein city attorney. Peterson moved to approve the appointment with a second by Larry Gauer. All voting aye, motion carried.

Resolution 2024-7: A motion was entered by Peterson and seconded by Moffitt to approve Resolution 2024-7. All voting aye, motion carried.

RESOLUTION #2024-7

BE IT RESOLVED by the Martin City Council, Martin, South Dakota, that Security First Bank of Martin, South Dakota, has been designated as the Official Depository for all the funds of the City of Martin.

BE IT RESOLVED that in regards to various accounts that the City of Martin has on deposit with Security First Bank that the following procedure be adopted in regards to requirement of signatures:

General Checking Account: 2 signatures required. Names on signature cards being that of the Mayor Gary Rayhill, Council member Gloria Claussen, Finance Officer, Jean Kirk and Assistant Finance Officer Tiffany Pettit.

Special Checking Account and Meter Deposit Checking Account: 1 signature required. Names on signature cards being that of Finance Officer Jean Kirk and Assistant Finance Officer Tiffany Pettit.

All Other Accounts, be it First Plus Checking, Pass Books Savings, CD's, etc., shall be by transfer only into the General Checking Account by Martin City Council approval. 1 Signature required. Names on signature cards being that of the Finance Officer Jean Kirk.

BE IT RESOLVED that the City of Martin is authorized to use a custodial account offered by Security First Bank within which Security First Bank arranges for deposited funds to be placed in one or more federally insured financial institutions pursuant to the provisions South Dakota Statue §4-5-6.1.

BE IT RESOLVED that the Finance Officer Jean Kirk is authorized to open new checking or savings accounts for the City of Martin, if they are so needed.

BE IT RESOLVED that the Mayor Gary Rayhill or Council President Larry Gauer along with the Finance Officer Jean Kirk be authorized to borrow money on behalf and in the name of the City of Martin, sign, execute and deliver promissory notes of evidence of indebtedness, with approval of the Martin City Council. 2 signatures required.

BE IT FURTHER RESOLVED that this resolution shall continue to have effect until express written notice of its rescission or modification by the Martin City Council, has been received and recorded by Security First Bank of Martin, South Dakota.

Dated this 8th day of May, 2024

(Seal)

Mayor, Gary Rayhill

ATTEST:

Jean Kirk, Finance Officer

Adopted: May 8, 2024

Published: May 22, 2024

Effective Date: June 11, 2024

Cold Mix and Gravel: Peterson moved to purchase 5 loads of grave and four loads of cold mix and to pay for it out of capital street improvement funds. Nollett seconded the motion, all voting aye, motion carried.

Pool: Four applications were reviewed. Peterson moved to hire Tabitha Pettit as pool manager at \$15.50 an hour. Rosa Ainslie and William Ainslie as life guards at \$11.20 an hour. Kierra Noel as pool help at \$11.20 an hour contingent on them getting certified and passing the drug test. Gloria Claussen seconded the motion, all voting, motion carried.

Building Permits: Two building permits were reviewed by the council. Martin Baseball Association is going to tear down the old crow's nest at the baseball field and put up a new one. Patty Bader is building a lean-to on to her garage at 604 Stover Street. Peterson moved to approve both permits. Larry Gauer seconded the motion, all voting aye, motion carried.

Past due Water Bills: The past due water bills were reviewed by the council. A motion to handle as usual was entered by Peterson and seconded by Moffitt. 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 Gloria Claussen.

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

Dated this 8th day of May, 2024

Gary Rayhill, Mayor

ATTEST: _____
Jean Kirk, Finance Officer

Published once at a total estimated cost of \$