

MINUTES OF REGULAR MEETING

The City Council of the City of Volga, SD met for a regular meeting Tuesday, July 6, 2021 at 5:32 PM in the conference room of City Hall; Mayor Randy Santema presiding. Members present: Bev Cotton, Ken Fideler, Nichole Hofer, Matt Jaquet, Doug Wermedal, and Kelly VanderWal via Phone. Also present: City Attorney Steve Britzman, City Administrator Michael Schulte, Finance Officer Krista Larson, Fire Chief Jamie Russell, Public Works Director Kevin Steen, Water and Wastewater Director Jon Hauge, Samantha Algood with the Volga Tribune, and Wendell Karlstad.

Following the Pledge of Allegiance, Wermedal made a motion to approve the consent agenda. Cotton seconded the motion. On roll call: Cotton, Yes; Fideler, Yes; Hofer, Yes; Jaquet, Yes; VanderWal, Yes; Wermedal, Yes. Motion carried. The following items were on the consent agenda: Approval of the July 6, 2021 Regular Meeting Agenda, Approval of June 21, 2021 Regular Meeting Minutes, Resolution 2021-29 – Blending and Consumption – McKayla, Resolution 2021-30 – Blending and Consumption – McBrien, and Resolution 2021-31 – Blending and Consumption – VBA Tournament.

BE IT RESOLVED that in accordance with SDCL 35-1-5.5, prior authorization for persons to consume or blend alcoholic beverages on Sunday, July 11, 2021 at the Volga Community Center is hereby given. All such consumption or blending shall occur during the party McKayla. Said property shall be considered for purposes of the Resolution to be the location of a special license and shall not constitute a public place as defined by Ordinance 145 of the City of Volga. Sale of alcohol beverages shall not be permitted at any time at the above described location. There shall be no consumption of any alcoholic beverage by any individual who is under twenty-one years of age. This permit shall commence at 12:00 AM on July 11, 2021 and shall conclude at 11:59 PM on July 11, 2021. CITY OF VOLGA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

BE IT RESOLVED that in accordance with SDCL 35-1-5.5, prior authorization for persons to consume or blend alcoholic beverages on Saturday, July 17, 2021 at the Volga Community Center is hereby given. All such consumption or blending shall occur during the party McBrien. Said property shall be considered for purposes of the Resolution to be the location of a special license and shall not constitute a public place as defined by Ordinance 145 of the City of Volga. Sale of alcohol beverages shall not be permitted at any time at the above described location. There shall be no consumption of any alcoholic beverage by any individual who is under twenty-one years of age. This permit shall commence at 12:00 AM on July 17, 2021 and shall conclude at 11:59 PM on July 17, 2021. CITY OF VOLGA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

BE IT RESOLVED that in accordance with SDCL 35-1-5.5, prior authorization for persons to consume or blend alcoholic beverages between July 24-28, 2021 at Cotton Sports Complex is hereby given. All such consumption or blending shall occur during the Volga Baseball Association Tournament. Said property shall be considered for purposes of the Resolution to be the location of a special license and shall not constitute a public place as defined by Ordinance

145 of the City of Volga. Sale of alcohol beverages shall not be permitted at any time at the above described location. There shall be no consumption of any alcoholic beverage by any individual who is under twenty-one years of age. This permit shall commence at 12:00 AM on July 24, 2021 and shall conclude at 11:59 PM on July 28, 2021. CITY OF VOLGA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer.

VISITORS, TIMED ITEMS, AND/OR PUBLIC HEARINGS

Jere Hieb with Jere's Home inspections updated the council on recent building permit inspections. Discussion was held regarding providing additional online information to residents. Jere provides inspections for residential permits and does some commercial inspections as well.

The council, Public Works Director Kevin Steen, and Water and Wastewater Director Jon Hauge discussed the water usage and increased stress imposed upon the five city wells. The city's usage during the drought has caused the wells to be pumping 100% of the time. The usage is a concern for emergency situations and the wells' overall capacity. Steen noted that the wells should be able to alternate and break from pumping. The risk of losing a pump or a complete well could cause significant water supply issues. The city has seen significantly increased water usage due to lawn watering during the last few months. Discussion regarding water loss and measurements was held. Further research will be done to provide valid figures. The first reading will be on July 19, 2021 with a special meeting to follow the next week. Hofer noted that marketing efforts to inform residents should be implemented as soon as possible. Fideler made a motion to instruct staff to draft an ordinance on watering restrictions. Hofer seconded the motion. On roll call: Fideler, Yes; Hofer, Yes; Jaquet, Yes; VanderWal, Yes; Wermedal, Yes; Cotton, Yes; Motion carried.

Community Development

Fideler made a motion to approve a temporary Ordinance 2021-08 A Temporary Ordinance Establishing Procedures Pertaining to Licensing Medical Cannabis Establishments in the City of Volga, South Dakota. Be It Ordained by the Governing Body of the City of Volga, South Dakota, as follows: I. Whereas, a municipal government may adopt an ordinance not in conflict with SDCL Chapter 34-20G, governing the time, place, manner, and number of medical cannabis establishments in the locality. A local government may also establish civil penalties for violation of an ordinance governing the time, place, and manner that a medical cannabis establishment may operate in a municipality. A municipal government may also require a medical cannabis establishment to obtain a municipal license and may require compliance with zoning requirements to operate, and may charge a reasonable fee for the municipal license; and Whereas, recently initiated state laws authorizing medical cannabis establishments will be effective on July 1, 2021. The Initiated Measure (IM 26) provides that the South Dakota Department of Health shall promulgate rules for medical cannabis establishments pursuant to Chapter 1-26 not later than October 29, 2021. During the time between July 1, 2021 and potentially as late as October 29, 2021, until the Department of Revenue promulgates these rules, the City of Volga will not know which Department of Health regulations for medical cannabis establishments, and will not be able to adequately assess the local zoning and licensing requirements necessary to approve local licenses; and Whereas, the City of Volga, South Dakota ("Municipality"), makes a finding that due to the

current lack of finalized Department of Health Standards and requirements, the City's current regulations and controls may not yet adequately address the unique needs and impacts of medical cannabis establishments as defined in SDCL 34-20G-1; and Whereas, the Department of Health regulations for medical cannabis establishments are indispensable in the proper planning for zoning and licensing of medical cannabis establishments. Also, the public interest requires that the City analyze and evaluate the impacts of medical cannabis establishments in light of the State regulations; and Whereas, the City makes a finding that the City cannot issue a local permit or license to a medical cannabis establishment prior to the South Dakota Department of Health's promulgation of regulations governing the same; and Whereas, the City hereby exercises its authority under SDCL 11-4-3.1 and SDCL 9-19-13 to establish a temporary ordinance regarding the issuance of any local permits / licenses for medical cannabis establishments within the City; and Whereas, this temporary ordinance will ensure that appropriate zoning ordinance and licensing ordinances, and any proposed amendments to the City's Comprehensive Plan can be thoroughly examined with adequate public input from citizens, business interests, and medical cannabis industry representatives; and Whereas, the City finds that a temporary ordinance addressing medical cannabis establishments is reasonable to preserve the status quo and prevent significant investment pending the promulgation of necessary Department of Health regulations governing medical cannabis establishments; and Whereas, the City finds that this ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace and support of the municipal government and its existing public institutions; Now, Therefore, Be It Ordained by the City of Volga, South Dakota: Section 1. Temporary Ordinance – Application for Local License A medical cannabis establishment desiring to operate in the City of Volga shall be required to apply for a license from the City. Applications for a local license to operate a medical cannabis establishment, as defined by SDCL 34-20G-1, shall not be accepted until the South Dakota Department of Health has promulgated regulations as required by SDCL 34-20G-72. Any application received prior to such regulations being promulgated shall not be received and will be returned to the applicant until this temporary ordinance is repealed. Section 2. Immediate Effect. This ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace, and support of the municipal government and its existing public institutions pursuant to SDCL 11-4-3.1 and SDCL 9-19-13.II. Any and all ordinances in conflict herewith are hereby repealed. CITY OF VOLGA BY s/Randy Santema, Mayor, ATTEST: s/Krista Larson, Finance Officer. Jaquet seconded the motion. Discussion was held. Britzman noted that the ordinance will be set in place until further state law is established for medical cannabis dispensaries. On roll call: Hofer, Yes; Jaquet, Yes; VanderWal, Yes; Wermedal, Yes; Cotton, Yes. Fideler, Yes. Motion carried.

Public Safety

Fire Chief Jamie Russell reported 10 calls in June consisting of 4 medical, 1 vehicle accident, 3 gas/carbon monoxide warnings, and 2 fire calls. Russell noted 69 calls year-to-date. It was noted that one fire occurred out of city limits due to fireworks over Independence Day weekend.

Electric

No Report.

Public Works

Wermedal made a motion to approve Resolution 2021-28 A RESOLUTION ADOPTIN A SCHEDULE OF CHARGES FOR WATER AND WASTEWATER SERVICES OF THE CITY OF VOLGA, SOUTH DAKOTA. Hofer seconded the motion. Discussion was held. The resolution implements the previously approved wastewater and water surcharges into utility billing. On roll call: Jaquet, Yes; VanderWal, Yes; Wermedal, Yes; Cotton, Yes. Fiderler, Yes; Hofer, Yes. Motion carried. A copy of the full resolution is available at City Hall upon request.

Kevin Steen discussed planning to extend the pavement past the soon-to-be developed Westland Addition to the west of town extending 6th street. This paved area would be approximately 2,000 feet of the road and would reach the city-maintained garden plots and dog park. Council instructed staff to work with the township and contractors to better develop a plan and cost estimate.

Parks, Recreation, and Buildings

Hofer and Jaquet noted some improvements to be done at the parks and pool. Trash bins will be added at parks, and an upgraded water fountain will be considered at the pool.

Wendell Karlstad noted the nice addition of a dog park west of town and inquired about future improvements to be made. Discussion was held. It is Karlstad and the council’s is hope to see obstacles and benches added in the future.

Finance and Economic Development

Fiderler made a motion to appoint Michael Schulte as City Administrator effective July 6, 2021. Jaquet seconded the motion. The council welcomed Michael as the new City Manager and expressed their eagerness to work with him. On roll call: VanderWal, Yes; Wermedal, Yes; Cotton, Yes. Fiderler, Yes; Hofer, Yes; Jaquet, Yes. Motion carried.

Fiderler made a motion to approve Pay Request #3 to Winter Construction for \$76,180.23. Wermedal seconded the motion. Discussion was held. On roll call: Wermedal, Yes; Cotton, Yes. Fiderler, Yes; Hofer, Yes; Jaquet, Yes VanderWal, Yes. Motion carried.

Fiderler made a motion to approve the following claims and ordered them paid. Jaquet seconded the motion. On roll call: Cotton, Yes; Fiderler, Yes; Hofer, Yes; Jaquet, Yes VanderWal, Yes; Wermedal, Yes. Motion carried.

Check	Amount	Comments
ALLEGRA	\$530.99	Firework safety mailer
A-OX WELDING SUPPLY CO., INC.	\$76.01	Cylinder Rental
Aramark	\$1,529.42	Cleaning Supplies
ASSOCIATED SUPPLY COMPANY, INC	\$1,265.08	Pool Supplies/Chemicals
BIG STATE INDUSTRIAL SUPPLY	\$412.07	Shop Supplies
BLAINE HOFF	\$50.00	Flags
BOBCAT OF BROOKINGS, INC.	\$91.77	chain loop and oil
BROOKINGS CO SHERIFF'S OFFICE	\$9,541.45	Contract law
BSN SPORTS, LLC	\$48.50	Pitching machine softballs

CORE & MAIN	\$739.92	curb boxes
DANIEL ORTON	\$98.00	EMT Reimbursement
DENR	\$650.00	Water Permits
DOLLAR GENERA, 15455	\$400.00	Rebate
EFTPS	\$6,644.14	Payroll Taxes
HEALTH POOL OF SOUTH DAKOTA	\$7,515.18	Premiums
HOMESTEAD DO-IT CENTER	\$111.48	Field Markers
HYDRO KLEAN, LLC.	\$1,283.75	Mobilization
John Sapp	\$400.00	Water Heater Rebate
KYLE GUSTAFSON	\$400.00	Water Heater Rebate
LYLE SIGNS INC.	\$58.01	Signs
MATT SCHMIDT	\$98.00	EMT Reimbursement
MICHAELS FENCE CO.	\$15,472.00	Dog Park Fence
MICRO COMPUTER SYSTEMS, INC.	\$30.00	Computer Support
NORTHWESTERN ENERGY	\$1,276.76	Acct. 3672503-4 WWTF
OFFICE PEEPS INC.	\$310.93	Supplies
OUTLAW GRAPHICS, INC.	\$1,470.00	Cotton Sports Complex
PAT MAST	\$200.00	Water Heater Rebate
PROCHEM DYNAMICS	\$196.24	Shop supplies
PUBLIC HEALTH LABORATORY	\$215.00	Pool Water Testing
REMIND101, INC.	\$805.20	Park and Rec App
RESCO, INC.	\$2,269.00	Elec Supplies
RFD NEWS GROUP INC.	\$934.96	Legal and Minutes
SHEILA MONNIER	\$700.00	Volga Fire Dept Training
SPOT ON PRINTING	\$169.00	Pool Employee Shirts
STEVEN J. BRITZMAN, ATTORNEY	\$9,774.00	(TIFS) Professional Legal Fees
Tanner DeKam	\$400.00	Water Heater Rebate
TONYA STEFFENSEN	\$1,200.00	June Cleaning
TOWN & COUNTRY SHOPPER	\$459.00	OTD Ads
TWO WAY SOLUTIONS, INC	\$749.99	Supplies
US BANK EQUIPMENT FINANCE	\$279.99	Global Search
VERIZON WIRELESS	\$301.16	iPad Service- Shop
WAGE WORKS	\$177.78	Pre-Tax Payments
WESCO DISTRIBUTION, INC.	\$120.80	Supplies
WINTER CONTRACTING LLC	\$76,180.23	Pay Request #3
WOLFE COMMUNICATIONS	\$1,133.25	Unication & warranty

Future Discussion

The council will consider paving the rest of the Westland addition gravel road after further research. Jaquet noted a conference meeting speaker should be considered for communication clarity in the City Hall Conference Room.

Public Comments

Karlstad reiterated his hopes to see further improvements and additions at the dog park.

Fideler made a motion to adjourn at 7:24 PM. Hofer seconded the motion. On roll call: Fideler, Yes; Hofer, Yes; Jaquet, Yes VanderWal, Yes; Wermedal, Yes; Cotton, Yes. Motion carried.

s/Randy Santema, Mayor, City of Volga

s/Krista Larson, Finance Officer, City of Volga

