

Pursuant to the due call and notice thereof, the City Council met in regular session on January 9, 2023, at 7:00PM at the City Finance Office in Gettysburg, SD and via ZOOM. Those present were Mayor Bill Wuttke, Philip Nagel, Michael Fischer, Eric Ellwanger, and Seth Warner. Also present were Greg Gerber, Maintenance Supervisor, Kaylee Broker, Deputy Finance Officer, Jayden Lewis, Police Officer, Steven Zuber, EMT Director, Kara Williams, Economic Development, Ryan Vogel, City Attorney (via ZOOM), Kay Schmidt, Tember Hanten & her mother, Karen, Doug and Beth Hamburger, Levi Broker, Shane Wager, and a few participants via ZOOM.

Moved by Nagel, Fischer seconded, to approve the January 9, 2023, proposed agenda. All members present voted Aye. Motion carried.

Moved by Nagel, Fischer seconded, to approve the December 28, 2022, special meeting minutes. All members present voted Aye. Motion carried.

Vouchers Payable: None.

Appointment: Kay Schmidt, USDA Farm Service Agency

Schmidt asked for approval to use the firehall meeting room during day-time hours (9:30AM-2:30PM) 1x per month or possibly even every (2) months wherein District FSA meets with farmers for training, to discuss new programs, etc. Discussion. Since USDA Farm Service Agency falls under the guidelines as a qualified organization, council agreed it could be available for use within the day-time hours mentioned. No motion was needed.

Appointment: Tember Hanten

Hanten stated her mother, Karen, will be moving back to Gettysburg this spring and is asking if council would allow her to keep and raise (4) pet ducks she currently has within city limits. These ducks are tame domestic ducks and she has a homemade coop for them. Discussion. Moved by Nagel, Ellwanger seconded, to approve Tember Hanten's mother, Karen, to raise no more than (6) domestic ducks she currently has as pets within city limits when she moves to Gettysburg this spring. All members present voted Aye. Motion carried. In Ordinance § 90.20 Type of Allowable Animals (C), there is a clause stating, "unless a special license/permission has been granted by the City Council", therefore, said ordinance did not need to be changed as council is granting special permission in this instance.

Appointment: Lilly Cronin Storer, Deputy States Attorney

Deputy States Attorney requested that the city waive any fee that the police department is currently placing upon access to a hard copy of video and/or audio evidence in criminal proceedings. Attorney Cronin was informed that the city police department was currently charging a \$10 fee per evidence disc. Deputy States Attorney stated that video and/or audio evidence is something that every defendant charged with a crime is constitutionally entitled to have at the start of adversarial judicial proceedings. Discussion. Moved by Nagel, Ellwanger seconded, to have the city police department remove this \$10 fee per hard copy of video and/or audio evidence but continue to run and provide the evidence discs as needed. All members present voted Aye. Motion carried.

Appointment: Erwin Kormendy re: Code Enforcement (no show)

Attorney Vogel stated that the petitions he has prepared for the alleyway vacates were given to Finance Officer Schatz in which she provided in council's meeting packets a sample of a petition to be approved. Attorney Vogel stated he is still needing some clarification from council on (3) different alleyways that he was a little confused on. Each petition would need to be signed by property owners listed on each petition and be notarized, as well. Discussion was had regarding how to best distribute these petitions out to said owners for signatures and notarization. Council thought perhaps it be easiest to have Finance Officer Schatz and/or Deputy Finance Officer Broker make phone calls to said property owners to have them come to the city finance office to ask any questions they may have, sign said petitions, and Finance Officer Schatz could notarize at the same time. There is only (1) petition which will have to be mailed out as property owner does not live in the area. Further clarification can be discussed at the February 6, 2023, council meeting when Finance Officer Schatz is back from medical leave.

REMINDER: Basic Water Fee will be raising from \$19 to \$20 effective Jan. 1, 2023. A reminder ad ran in the local newspaper and new utility billing cards will reflect the increase.

City employee merit/performance raises will be discussed in Executive Session (personnel).

Moved by Nagel, Ellwanger seconded, to approve the 2023 Firemen roster and 2023 EMT roster. All members present voted Aye. Motion carried.

Moved by Ellwanger, Fischer seconded, to approve appointing the Potter County News for the city council's designation of newspaper. All members present vote Aye. Motion carried.

Moved by Fischer, Ellwanger seconded, to approve signing the 2022 South Dakota Public Assurance Alliance (SDPAA) Declarations Insurance Packet and pay invoice for same in the amount of \$48,569.17. All members present voted Aye. Motion carried.

Moved by Nagel, Ellwanger seconded, to approve renewing Independent Contractor Agreement with Code Enforcement Specialists for 2023. All members present voted Aye. Motion carried.

A support/maintenance plan was discussed to maintain having continued support coverage for the Gettysburg Municipal Airport FuelMaster System. Moved by Warner, Ellwanger seconded, to approve renewing support coverage by purchasing the Super Maintenance FuelMaster Support Plan in the amount of \$3,500. All members present voted Aye. Motion carried.

Moved by Fischer, Ellwanger seconded, to approve the private aircraft hangar lease on the airplane hangar, Lot 13, in which Pam Sheldon sold to Tyrone Kraft. All members present voted Aye. Motion carried.

Moved by Ellwanger, Fischer seconded, to approve the Hay Land Lease Agreement to be signed by Art and Edward Beringer, who were awarded the hay land bids beginning January 1, 2023, through December 31, 2027. All members present voted Aye. Motion carried.

Discussion was had regarding a property of Dennis Lenz in the southeast area of the township wherein Gettysburg firemen would like to burn the property and use the controlled burn for training for the Gettysburg Fire Department. There is a clause within city ordinance wherein there is no controlled burning allowed in the city limits unless council approves. Moved by Warner, Ellwanger seconded, to approve allowing a controlled burn on a property of Dennis Lenz in the southeast area of the township

within city limits and to allow the Gettysburg Fire Department to use this controlled burn as a training exercise for the firemen, permission pending the Fire Department getting written permission from all surrounding neighbors of said property ahead of time. All members present voted Aye. Motion carried.

Nagel stated the committee for the upcoming 140th Celebration event occurring in June of 2023 met last week and have a few items they are hoping to get clarified and approved. Discussion. First, moved by Nagel, Fischer seconded, to approve street closure for the 2023 140th Celebration in June of 2023 to have the street closure of Commercial Avenue for (1) block East and West of the intersection where it crosses Exene Street and then Exene Street for (1) block North and South from where it crosses Commercial Avenue, starting Friday morning through Sunday. All members present voted Aye. Motion carried.

Second, there will be several events going on downtown, in the city park, and there will be several class reunions going on, as well, so the committee is asking to repeal/relax Open Container Law rules when “walking” from one downtown event to another. Moved by Nagel, Ellwanger seconded, to approve repealing/relaxing Open Container Law rules when “walking” from one downtown event to another during the (3) days of the 140th Celebration in June of 2023. All members present voted Aye. Motion carried.

Third, Nagel mentioned the committee would like to have council allow free swimming at the city pool on Saturday afternoon if the pool is successfully open this season and full staff is available. Council agreed this should be fine and decided no motion was needed.

Lastly, Nagel expressed that Heartland will be bringing in extra dumpsters for the 140th Celebration.

Discussion was had that the Lake Hiddenwood Foundation is seeking support from communities in our area supporting the new lake at Lake Hiddenwood Recreation Area through a draft bill that is being presented at the 2023 legislative session (Draft 273). Moved by Nagel, Ellwanger seconded, to approve a letter of support be written from the City of Gettysburg council and for Mayor Wuttke to sign said letter of support on behalf of city council. All members present voted Aye. Motion carried.

Appointment: Steven Zuber, EMT Director

Zuber gave ambulance report. EMT classes are starting January 24, 2023, at the firehall and they have (7) that are showing interest so far. The E-Avera (emergency through Avera) is getting installed in our newer ambulance this week so there will be video conferencing available with a doctor and a nurse at any time. Most everyone throughout the State will be getting this service due to COVID funds. Both ambulances will also be getting new Lifepaks which should arrive in March or April and these also were funded through COVID funds. Zuber stated we have (2) people interested in the Certified EMT/AEMT Paramedic position the city has advertised. This will be discussed further in Executive Session (personnel).

No police report was given orally but a hand-out was given to each council member.

There was one fuel bid from Agtegra for the following: Unleaded 10% Ethanol FTE at \$2.895, Ruby Fieldmaster at \$3.64, #1 Ruby Fieldmaster at \$5.09, AvGas at \$4.615, and Jet-A at \$4.52. Moved by Fischer, Ellwanger seconded, to accept the fuel bid from Agtegra. All members present voted Aye. Motion carried.

Gerber gave maintenance report.

Moved by Fischer, Warner seconded, to approve installing approximately 350' of new sewer on Ellsworth from Lincoln to Logan in early spring with purchasing sewer pipe at the approximate cost of \$3,500. All members present voted Aye. Motion carried.

Gerber stated there have been requests to put another handicap parking spot on the East side of the finance office in front of Total Images which he will get done in the near future. This will allow (1) handicap parking area on each side of the finance office to help with handicap access in downtown parking.

Gerber stated that the airport AWOS System is currently down, but AWOS technical support will be coming to get it up and running next week. Short discussion was again had in possibly expanding the airport pilot's lounge mechanical room.

Broker gave finance office report.

Moved by Ellwanger, Warner seconded, to approve publishing the 2023 Salary Listing in the newspaper. All members present voted Aye. Motion carried.

Moved by Fischer, Ellwanger seconded, to approve having a combined 2023 election with the school. All members present voted Aye. Motion carried.

Moved by Fischer, Nagel seconded, to approve April 11th, 2023, as the official date for the 2023 election date and to publish Notice of Election in newspaper by proper date set by the municipal election calendar. All members present voted Aye. Motion carried. Discussion was had that if the community is wanting to change the city from having (3) wards to a voting-at-large status instead, a petition will need to be taken out with 15% of signatures (approximately 130 signatures) accumulated from 2022 registered voters and turned into the finance office. Once turned into the finance office, council will have to approve the petition and make a new motion at the February 6, 2023, council meeting approving the combined election with the school on stated date of April 11, 2023, and to have said item on ballot for vote. There are no council vacancies up for election this year, so this item would be the only item for vote on the city ballot.

Moved by Fischer, Ellwanger seconded, to approve Kohlman, Bierschbach & Anderson, LLP to complete the 2022 Annual Report for the City of Gettysburg with cost not to exceed \$1,850. All members present voted Aye. Motion carried.

- Building Permits: None.
- Moving Permits: None.
- Demolition Permits: None.

Moved by Fischer, Ellwanger seconded, to go into Executive Session at 8:14PM for legal and personnel. All members present voted Aye. Motion carried. Council reconvened at 8:40PM.

Moved by Nagel, Warner seconded, to approve promoting Allen Pope to Assistant Maintenance Supervisor at \$21.50 per hour. All members present voted Aye. Motion carried.

Moved by Ellwanger, Fischer seconded, to approve a \$1.00 merit/performance raise be given to each Greg Gerber, Sheila Schatz, and Kaylee Broker. All members present voted Aye. Motion carried.

Correspondence: Economic Development 4th Qtr. Financials; Code Enforcement Report Update; IMEG Info.; Legislative Rib Dinner Info.; 2023 RAISE Grant Program Info.; NECOG – GOED’s Infrastructure First Project Info.; CORE In-Person Local Pipeline Response Training Info.;

Round Table: Fischer congratulated Jack Rabbits on their first national title. Greg wanted to thank council once again for all their support as it is very much appreciated. Ellwanger wanted to thank all employees for the good job they have done this year. Broker thanked council for their support, as well, and for taking it easy on her with handling her first meeting on her own tonight.

Moved by Fischer, Nagel seconded, to adjourn meeting at 8:49PM. All members present voted Aye. Motion carried.

Attest:

Witness

Kaylee Broker, Deputy Finance Officer

Bill Wuttke, Mayor

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