

REGULAR WHITEWOOD COUNCIL MEETING

March 15, 2021

The Whitewood City Council met in regular session on Monday the 15th of March 2021 at City Hall. Mayor Mitch Harmon called the meeting to order at 5:30 pm, with Council members Roxie Cooper, Randy Wiege, Bruce White, Jerry Davidson, Brenda Werlinger and Monica Burke present. Police Chief Witcraft, Building Official Smit, City Attorney Frankenstein, and Finance Officer Heckenlaible were also present.

Action 2021-035

Motion by Davidson, second by White, to approve the minutes from the Regular Council Meeting on March 1, 2021. All members present voting yes, motion carried.

Action 2021-036

Motion by White, second by Werlinger, to approve the claims as presented. Roll call, all members present voting yes, motion carried.

CLAIMS - March 15, 2021

GENERAL FUND

A&J SUPPLY- Shop 81.45, Police 9.99, Streets 169.98	261.42
ALL NET CONNECTIONS- Monthly Backup	198.26
AMAZON CAPITAL SERVICES- Flag Supports	71.96
AMBER BODELL- Website Design	816.00
BH AMMUNITION- Police	502.44
BH PIONEER- Legal Publications	283.94
BUTTE ELECTRIC- Exit Lights	492.88
DVORAL CONVENIENCE STORES- Hale Hall 39.03, City Hall 26.59, Police 47.56	113.18
VAST BROADBAND- Shop 45.13, Police 153.28, City Hall 310.61	509.02
LIGHT & SIREN- Police Equipment	3788.40
LIGHTING MAINTENANCE- Exit Lights	58.52
MCLEOD'S- Election Supplies	44.56
PREMIER POLICE TRAINING	200.00
QUIK SIGNS- Police	252.99
SERVALL- PW Uniforms	91.76
SIGNIFICANT DIGITS- Reader Board Annual Fee	350.00
SOUTHERN GLAZERS- March Liquor	1821.70
SPEARFISH AUTO	133.34
LAKOTA CONTRACTING- Police Uniform	102.45
BH ENERGY- Hale Hall 534.46, City Hall 127.68, Shop 247.82, Police 187.77, Parks 77.09, Street Lights 1110.36	2285.18
REPUBLIC NATIONAL- March Liquor	2853.98
ALSCO	90.33
A&B BUSINESS SOLUTIONS	59.99
RICHTER'S TIRE & EXHAUST- Police Repairs	514.28
ADVANCED ENGINEERING- Laurel Street 780.00, Annexation Study 2576.25	3356.25
TOTAL	\$19,297.96

GENERAL LEDGER

DELTA DENTAL- Employee Dental Insurance	589.40
SANFORD HEALTH- Employee Health Insurance	13200.51
UNITED HEALTH CARE- Employee Life Insurance	62.10
TOTAL	\$13,852.01

LIBRARY

A&B BUSINESS SOLUTIONS- Copier	82.30
INGRAM LIBRARY SERVICES- Books	42.52
JERRY'S REFRIGERATION- Heater Repair	397.30
MICROMARKETING ASSOC.- Books	1186.05
RUSHMORE OFFICE SUPPLY	110.95
BH ENERGY	145.34
VAST BOADBAND	145.73
TOTAL	\$2,110.19

WATER/SEWER FUNDS

BUTTE ELECTRIC	2136.61
DAN'S DUMPSTERS	75.00
MIDCONTINENT TESTING LABS	35.00
RAPID DELIVERY	27.89
BH PURE	13.50
BH ENERGY	1760.23
HAWKINS CHEMICAL	530.00
ONE CALL	12.60
TOTAL	\$4,590.83

AUTOMATIC PAYMENTS

USDA RURAL DEVELOPMENT- Storm Sewer Loan	1226.50
EFTPS- Payroll Taxes 03/12/21	4394.33
US BANK- SRF Loan	3738.76
TOTAL	\$9,359.59

At 5:30 PM, Mayor Harmon opened the Public Hearing for the change of zoning request for Outlots S/D of Outlot B & Lots 1-5, Block 21, Original Town. Hooker Street LLC wishes to change the zoning from General Residential 1 to General Residential 2. With no objections from the public. Mayor Harmon closed the Public Hearing at 5:34 PM.

Action 2021-037

Motion by White, second by Cooper, to approve the change of zoning request for Outlots S/D of Outlot B & Lots 1-5, Block 21, Original Town. All members present voting yes, motion carried.

Action 2021-038

Motion by Burke, second by Davidson, to approve a Special Event Liquor License for The Caboose, for a wedding at Hale Hall on March 20, 2021. All members present voting yes, motion carried.

Action 2021-039

Motion by Wiege, second by White, to adopt the following resolution 2021-02. All members present voting yes, motion carried.

RESOLUTION NO. 2021-02

A RESOLUTION AUTHORIZING ISSUANCE OF SALES TAX BONDS IN A PRINCIPAL AMOUNT OF NOT MORE THAN \$1,500,000 TO FINANCE THE LAUREL STREET CONSTRUCTION PROJECT AND AUTHORIZING A BOND ANTICIPATION NOTE IN ANTICIPATION THEREOF IN A PRINCIPAL AMOUNT OF NOT MORE THAN \$1,500,000 TO FINANCE THE LAUREL STREET CONSTRUCTION PROJECT.

WHEREAS, SDCL Chapters 10-52 & 6-8B (the "Act") permits the City to issue sales tax bonds in anticipation of the collection of taxes imposed by the City under SDCL §10-52-2; and

WHEREAS, the City finds it necessary and expedient for the City to issue its sales tax bonds, the proceeds of which will finance the Laurel Street Construction Project (the "Project"); and

WHEREAS, the Act permits the City to obtain interim financing for project provided that the bond anticipation note shall not mature later than three years after their date of issue; and,

WHEREAS, the City has received proposals from commercial banks to provide interim financing for the Project and intends to accept a proposal;

NOW, THEREFORE, THE CITY WHITEWOOD RESOLVES AS FOLLOWS:

Section 1. Definitions.

The following capitalized terms used in this resolution shall have the meanings defined for those terms in this Section.

"Bank" means a state or national bank, its affiliates or successors as owners of the Note.

"City" means the City of Whitewood, South Dakota.

"City Council" means the City Common Council, or such other person who is authorized by law to act for the City.

"City Officials" means the Mayor and Finance Officer.

"Code" means the United States Internal Revenue Code of 1986, as amended.

“Finance Officer” means Finance Officer appointed under Chapter 34 of the Whitewood Code of Ordinances.

“Mayor” means the Mayor nominated, elected or appointed to hold office under SDCL Chapter 9-8.

"Note" means the City's Bond Anticipation Note, Series 2021, or such other designation as the City Officials designate, which is authorized by this resolution.

"Ordinance "means Chapter 35.15 Retail Sales and Use Tax of the Whitewood Code of Ordinances.

"Project" shall mean the Lauren Street Construction Project, the plans which are open to public inspection at the office of the Finance Officer.

"Sales Tax Bonds" means the City's Sales Tax Bonds which will be issued without an election to pay the Note.

Section 2. Sales Tax Bonds.

The City does find it necessary and expedient to issue sales tax bonds pursuant to the Act in a principal amount not to exceed \$1,500,000. The City pledges the city's 2% Sales Tax for the payment of the Bonds. The proceeds of the Sales Tax Bonds will be used to finance the Project.

Section 2. Interim Financing Authorized.

The City is hereby authorized to issue its Note to finance the Project pursuant to the Act and this resolution. The principal amount of the Note shall not exceed \$1,500,000.

Section 3. Security.

The City hereby pledges to pay the Note with the proceeds of Sales Tax Bonds. The City may also use grant proceeds or other available funds of the City to pay the Note and reduce the principal amount of the Sales Tax Bonds.

Section 4. Tax-Exemption.

The City covenants not to take any action or omit any action if the taking or omission would cause interest paid on the Notes to be includable in gross income under the Code.

Section 5. Designation as Qualified Tax-Exempt Obligations.

The City reasonably expects that it and its subordinate entities will not issue more than \$10,000,000 of tax-exempt obligations during calendar year 2021. The City hereby designates the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code.

Section 6. Delegation.

The City Officials may, on behalf of the City and without further action by the City Council establish the final principal amount, repayment schedule, interest rate, redemption terms, payment terms and dates, and other terms of Note, subject to the limitations of this resolution and the Act, enter into additional covenants for the benefit of the owner of the Note which are intended to enhance the creditworthiness of the Note; negotiate the terms of, and execute and deliver an agreement to sell the Note to the Bank or its affiliates; execute and deliver the Note, in substantially the form approved by the City Officials; and, take any other action and execute any other documents in connection with the Note which the City Official finds will be advantageous to the City.

ADOPTED by the Whitewood City Council at a regular meeting thereof this 15th day of March, 2021.

Mayor

ATTEST:

Finance Officer

Action 2021-040

Motion by Burke, second by Wiege, to approve the following resolution 2021-03. All members present voting yes. Motion carried.

RESOLUTION 2021-03

WHEREAS, the City of Whitewood has funds invested in First Interstate Bank,
and

WHEREAS, it is necessary for the Common Council of the City of Whitewood to designate certain persons to sign on behalf of the City, now therefore,

IT IS HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WHITEWOOD AS FOLLOWS:

1. That Cory C. Heckenlaible, Whitewood City Finance Officer, be and he is hereby authorized to execute any and all documents as City Finance Officer in connection with these funds.
2. That Mitchell U. Harmon, Mayor of the City of Whitewood, is authorized to sign all documents in connection with said funds on behalf of the City of Whitewood.

This resolution shall become effective immediately upon its passage.

Dated this 15th day of March 2021.

CITY OF WHITEWOOD

BY: _____
Mitchell U. Harmon, Mayor

ATTEST:

Cory Heckenlaible, Finance Officer

Action 2021-041

Motion by White, second by Wiege, to approve applying for Local Federal Bridge Replacement or Removal Funds and adopt the Federal Aid Bridge Program Resolution. Roll call, all members present voting yes, motion carried.

Action 2021-042

Motion by Wiege, second by White, to approve the estimate of \$1,478.32 from Spearfish Seamless to replace the rain gutters at Hale Hall. Roll call, all members present voting yes. Motion carried.

Action 2021-043

Motion by Davidson, second by Burke, to approve the purchase of a bagger for the Scag mower. All members present voting yes, motion carried.

Action 2021-044

Motion by White, second by Cooper, to approve the election aboard appointment of Jan Taylor, Donna Schone and Arleta Heckenlaible for the April 13th. 2021 election. All members present voting yes, motion carried.

There being no further business, meeting adjourned at 5:53 PM.

MITCHELL U. HARMON
Mayor

Attest:

CORY HECKENLAIBLE
Finance Officer