

REGULAR MEETING DE SMET COMMON COUNCIL
March 9, 2022

The De Smet Common Council met in regular session on March 9, 2022, at 5:00 p.m., with the following present: Council members Cole Munger, Bret Jensen, Pam Spader, Lowell Hansen, George Cavanaugh, Shon Asleson, Mayor Gary Wolkow, Finance Officer Tracey Larson, and City Attorney Todd Wilkinson. Absent: none.

Mayor Wolkow called the meeting to order at 5:00 PM.

PLEDGE OF ALLEGIANCE: The meeting was started with the council and those from the public reciting the Pledge of Allegiance.

ANNOUNCEMENTS: Mayor Wolkow congratulated the De Smet High School Girls and Boys Basketball team and coaches on their advancements to the State B's, and announced there would not be a municipal election this year. The current council members who have terms ending, submitted their petitions and are unopposed.

MINUTES: Motion was made by Cavanaugh, seconded by Munger, to approve the minutes of the February 9, 2022 Regular Meeting minutes, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Jensen, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$29,903.13; OASI Benefit 2,287.58; Aflac, ins. premium 275.00; Dearborn National, life insurance 140.80; Delta Dental of South Dakota 379.30; VSP 190.96; The Health Pool of SD, health insurance premium 7,949.68; SDRS, retirement benefit 3,551.32; SDML, conference 27.00; AA Motorsports, LLC, repair & maintenance 36.04; Avera Occupational Medicine, drug testing 142.00; Avid Hawk LLC, monthly web site fee 35.00; Center Point Large Print, supplies 29.96; Century Link, utilities 67.86; City of De Smet, utilities 617.34; City of De Smet, supplies 43.51; CNA Surety, insurance 50.00; Connecting Point, supplies, repairs & maintenance 119.50; Cook's Wastepaper & Recycling, city sanitation services 264.26; Cook's Country, magazine renewal 31.30; Cook's Wastepaper & Recycling, residential garbage services 6,902.16; Dakota Pump, Inc., repairs & maintenance 321.43; De Smet Development Corp., economic and BBB contributions 18,000; Debbie Beck, deposit refund 10.00; Demco, supplies 228.09; Department of Health, water labs 43.00; Farmer Brother Co., supplies 420.72; George Cavanaugh, deposit refund 30.00; Hawkins, Inc., chemicals 3159.87; Innovative Office Solutions, LLC, supplies 1910.53; Kay Hendricks, meter deposit refund 75.00; Kingsbury Electric Cooperative, repairs & maintenance 314.90; Kingsbury Electric Cooperative, repairs & maintenance 220.00; Kingsbury County Auditor, law enforcement contract 6,283.33; Kingsbury Electric Cooperative, utilities 249.61; Kingsbury Journal, publishing 320.09; Kingsbury Journal, publishing 84.00; Lauren Himley, deposit refund 50.00; Linda Rommereim, deposit refund 150.00; Maynard's, supplies 13.77; Micro Marketing LLC, supplies 364.96; Napa, repairs & maintenance 332.49; Northwestern, utilities

2,656.77; Office Peeps, Inc., supplies 46.00; Office Peeps, Inc., supplies 426.66; Ottertail, utilities 6,625.00; Postmaster, supplies 200.00; Publishers Weekly, supplies 249.99; Ramkota Hotel & Conf. Center, conference 96.00; Reader Service, supplies 18.33; Rich's Gas & Service, fuel, 249.20; Samantha Tschetter & Jacob Clark, deposit refund 405.00; SD Dept. of Revenue, sales tax 266.72; SD Dept, of Revenue, sanitation sales tax 470.72; SDWWA, membership 15.00; Secretary of State, registration fee 30.00; Shannon Small, deposit refund, 10.00; Share Corp., chemicals 2,630.03; Soil First, deposit refund 80.00; The Main Stop, fuel 554.83; Valley Fibercom, utilities, 449.83; Water Billboards, supplies 917.73; Wilkinson Insurance Agency, insurance 1,083.00; Helms & Associates, AWOS III 1,374.79; IMEG, update water facility plan 2187.50; IMEG, update wastewater facility plan 2,250.00; IMEG, main street preliminary planning 1,200.00.

ZONING: Motion was made by Jensen, seconded by Munger, that the Council to be convened as the Board of Adjustment, all voting aye, motion carried. The Board of Adjustment was called to order by Mayor Wolkow.

This being the date and time public noticed for the hearing on Variance Application #97 submitted by Edith Jesser dba as Jesser's, Jesser met with the board to discuss the variance application. Jesser has requested a variance to allow her to construct two temporary greenhouses, one of which will be three (3) feet from the South property line, and to place the two structures closer than ten(10) feet from the primary structure that is already located on the property in an area zoned "C-2" Commercial Industrial District on the following legally described property: Lots 9 & 10, Block 12, Western Town Lot Co. Addition, and addressed as 320 Joliet Ave. SE, De Smet, South Dakota.

Notice of the hearing was properly given by certified mail and by publication of the publication of the Notice of Hearing in conformity with Section 3.04.05 of the City Zoning Ordinance. Nobody from the public appeared for discussion of the variance application.

The location of the proposed construction was reviewed by Alderman Jensen. Upon conclusion of the hearing and the Board having considered the application and evidence presented, enters its findings as follows:

1. That property legally described as Lots 9 & 10, Block 12, Western Town Lot Co. Addition, De Smet, Kingsbury County, South Dakota, is located within the city limits of the City of De Smet and the Board of Adjustment has jurisdiction over the application.
2. That the property is currently zoned "C-2 Commercial Industrial".

3. That adjacent properties to the South, East, and West are zoned "C-2 Commercial Industrial", and the adjacent property to the North is zoned "R-2 General Residential".
4. That the lot is located at the intersection of two street right-of-ways (Joliet & Fourth Avenue) and is therefore considered to be a corner lot.
5. That the Area Regulations of the "C-2" zoning require a front yard set-back of twenty-five (25) feet and the "Additional Yard Requirements" in chapter 4.07 Yards, states that a corner lot must have a front yard along both streets.
6. That the Supplemental regulations for an accessory building require the structure to have a minimum distance of ten (10) feet from a principal structure.
7. That the two (2) greenhouse structures will be seasonal during the spring/summer months and will be disassembled and stored indoors during the off-seasons.
8. That the applicant has filed the required application for the variance application and the notice of hearing was properly given.
9. That none of the adjacent property owners presented any objections to the proposed variance.
10. That the shape of the commercial lot deems it necessary to grant a variance.
11. That granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
12. That the applicant has not applied for any permanent structures or improvements on the property nor have any been authorized by the variance issued.
13. That the applicant has been informed that prior to future assembly of the temporary greenhouses, new zoning applications will need to be completed and approved prior to assembly.
14. That the reasons set forth in the application justify granting a variance.

Based upon these finding, a motion was made by Cavanaugh, seconded by Asleson, to recommend approval of the variance application #97 as submitted to Edith Jesser dba Jesser's, for two (2) temporary greenhouse accessory buildings, all voting aye, motion carried.

Motion was made by Spader, seconded by Cavanaugh, to reconvene as the city council, all voting aye, motion carried.

VARIANCE: Motion was made by Cavanaugh, seconded by Asleson, to approve Variance application #97 submitted by Jesser's Greenhouse (Edith Jesser) for two temporary greenhouses, all voting aye, motion carried.

BUILDING PERMIT: Motion was made by Asleson, seconded by Jensen, to approve the building permit applications submitted by Jesser's Greenhouse (Edith Jesser) for two temporary greenhouses and Randy & Lynn Beck for a new residential structure with attached garage, all voting aye, motion carried.

SPECIAL LIQUOR LICENSE: The De Smet Volunteer Fire Department has requested a special liquor license for an event to be held at the De Smet Event Center on March 16, 2022 from 5:00 PM to 11:00 PM and LuAnn Klinkel dba Klinkel's III has requested a special liquor license for an event to be held at the De Smet Event Center on March 26, 2022 from 5:30 PM to 12:00 AM. Motion was made by Cavanaugh, seconded by Asleson, to approve the special liquor license to the De Smet Volunteer Fire Department, for an event to be held at the De Smet Event Center on March 16, 2022 from 5:00 PM to 11:00 PM and a special liquor license to LuAnn Klinkel dba Klinkel's III, for an event to be held at the De Smet Event Center on March 26, 2022 from 5:30 PM to 12:00 AM, all voting aye, motion carried.

AERIAL SPRAYING PERMIT: Motion was made by Munger, seconded by Asleson, to approve the 2022 Aerial Spraying Permit submitted by Isaac Wilde Air Service, all voting aye, motion carried.

FLOWER BARRELS: Motion was made by Cavanaugh, seconded by Spader, to advertise for quotes to provide and plant flowers in 25 barrels on main street and 2 containers at the library, with the quotes to be reviewed at the April 13, 2022 council meeting, all voting aye, motion carried.

HOUSING BOARD: Motion was made by Asleson, seconded by Cavanaugh, to approve the appointment of Lynn Beck to the De Smet Housing & Redevelopment Board to replace retiring member Delver Williams, all voting aye, motion carried.

ELECTRONICS COLLECTION AND RUS FREE DUMPING DATES: Motion was made by Jensen, seconded by Munger, to approve the electronics collection date on Friday, May 6, 2022 from 7:30 AM - 6:00 PM at the new City Shop, and the free dumping dates at the Restricted Use Site as follows: Tuesdays - May 3th & 10th - 6:00 PM - 8:00 PM and Saturdays - May 7th & May 14th - 10:00 AM - 3:00 PM weather permitting, all voting aye, motion carried.

PUBLIC HEARING: This being the date and time advertised, a public hearing was held to discuss submitting an application for Drinking Water Facilities Funding for a water improvements project and an application for Sanitary Sewer Facilities Funding for a wastewater collection improvements project. The water project would include the replacement of approximately 11,300 LF of water mains, replace approximately 7,600 LF of service lines, replace 32 fire hydrants, street repairs, and water tower rehabilitation. The proposed project would replace water mains to improve water quality, recoat the inside of the water tower, and sand blast and repaint the outside of the water tower to maintain and improve the tower lifespan. The wastewater project would include the relining or replacement of approximately 7,200 LF of sewer main, replacement of service lines, replace 19 manholes, street repairs, and sanitary sewer televising. The proposed project would replace wastewater mains to improve the wastewater infrastructure system. Shane Waterman, Engineer for IMEG, Greg Maag and Christina Crouse, with First District were present to

discuss the project construction details, application process, projected timeline, and to answer questions from the council and public. The water project cost is estimated to be \$5,050,000.00 and the wastewater project cost is estimated to be \$2,090,000.00. The City is applying for a 30 year water loan with an interest rate of 1.875% from the Drinking Water State Revolving Fund program, and any possibly loan forgiveness or grant funds. The loan payment would be paid with a water surcharge fee. The City is applying for a 30 year wastewater loan with an interest rate of 2.125% from the Drinking Water State Revolving Fund program, and any possible loan forgiveness or grant funds. The loan payment would be paid with a wastewater surcharge fee. Motion was made by Cavanaugh, seconded by Asleson, to approve Resolution No. 2022-1, authorizing an application for financial assistance, authorizing the execution and submittal of the application, and designating the mayor as authorized representative to certify and sign pay request for the water improvement project, all voting aye, motion carried.

RESOLUTION NO. 2022-1

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of DeSmet (the “City”) has determined it is necessary to proceed with improvements to its Drinking Water System, including but not limited to replacement of water mains, service lines, fire hydrants, curb and gutter, sidewalk, valves, as well as reconnect services, street repairs, and water tower rehabilitation (the “Project”); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the “Board”) will be prepared; and

WHEREAS it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$6,000,000 to the South Dakota Board of Water and Natural Resources for the Project.
2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
3. The Mayor is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at DeSmet, South Dakota, this 9th day of March 2022.

APPROVED:

Mayor
City of DeSmet

(Seal)

Attest: _____
City Finance Officer

Motion was made by Hansen, seconded by Spader, to approve Resolution No. 2022-2, authorizing an application for financial assistance, authorizing the execution and submittal of the application, and designating the mayor as authorized representative to certify and sign pay request for the wastewater improvement project, all voting aye, motion carried.

RESOLUTION NO. 2022-2

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of DeSmet (the "City") has determined it is necessary to proceed with improvements to its Wastewater System, including but not limited to replacement of sewer mains, service lines, manholes, curb and gutter, including street repairs, erosion control, and sanitary sewer televising (the "Project"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") will be prepared; and

WHEREAS it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$3,000,000 to the South Dakota Board of Water and Natural Resources for the Project.

2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.

3. The Mayor is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at DeSmet, South Dakota, this 9th day of March 2022.

APPROVED:

Mayor
City of DeSmet

(Seal)

Attest: _____
City Finance Officer

CHIP SEAL COATING/CRACK SEALING BIDS: This being the date and time public noticed for the opening of bids for chip sealing, crack sealing. City Attorney Wilkinson opened three bids for chip sealing, three bids for crack sealing. Bids received for chip sealing approximately 28,013 square yards are as follows:

<u>Company</u>	<u>Base Bid</u>	<u>Unit Price</u>
Bituminous Paving, Inc.		\$2.65/sq. yd.
Road Guy Construction Co., Inc.		\$1.603/sq. yd. city streets
		\$1.783/sq. yd. airport
Topkote		\$1.82/sq. yd.

Bids received for crack sealing are as follows:

<u>Company</u>	<u>Bid Amount</u>
Highway Improvement, Inc.	\$0.60 per lineal foot
The Road Guy	\$0.65 per lineal foot
Topkote, Inc.	\$0.72 per lineal foot

Motion was made by Cavanaugh, seconded by Jensen, to approve and accept the bid for the chip seal coating from Road Guy Construction Co., Inc. for chip seal coating 28,013 square yards at \$1.603/sq. yd. for in-town streets and \$1.783/sq. yd. for airport areas, totaling \$45,843.18, and accept the bid from Highway Improvement, Inc. to crack

seal 28,500 lineal feet at \$0.60/lin. ft. for a total of \$17,100.00, all voting aye, motion carried.

DE SMET DEVELOPMENT CORPORATION: Matt Kees, President of the De Smet Development Corporation and several other board members, met with the council to request additional financial assistance for employee health insurance and retirement when hiring a new coordinator or to have the new coordinator employee added to the city health insurance policy and SD Retirement.

PUBLIC COMMENTS: None.

BREWSTER WASTEWATER EXTENSION: Shane Waterman, Engineer with IMEG met with the council to discuss some final questions to complete the final draft and paperwork for the Brewster Street Wastewater Extension Project. Quotes will be obtained and reviewed at a special meeting to be held on March 30, 2022 at 5:15 PM at City Hall.

EXECUTIVE SESSION: Motion was made by Asleson, seconded by Jensen, to go into executive session at 7:04 PM to discuss personnel and contracts, all voting aye. Mayor Gary Wolkow declared the council out of executive session at 7:19 PM.

DE SMET DEVELOPMENT COORDINATOR: Rita Anderson, Development Coordinator gave an update on the SB1033 allocating grant and loan funds for housing infrastructure for municipalities under 50,000 in population; a De Smet booth will be displayed at the 2022 Pheasant Fest in Omaha; and Myron Moen, chairman of the SD Intercollegiate Conference Basketball Hall of Fame is inquiring about putting the SDIC Basketball Hall of Fame in De Smet at the Event Center.

WATER & WASTEWATER: Jason Springer, Assistant of Water & Wastewater, met with the council to discuss a company that will test for sludge at the lagoons at no cost and then make a recommendation of products to reduce the sludge; Well #8 will be serviced after some repairs have been made to backup Well #7; purchasing of water meters; and mapping of the water lines through the GIS software that the City currently uses through Kingsbury County.

SUMMER HELP: Motion was made by Asleson, seconded by Hansen, to approve hiring Brayden Roth as pool basket room attendant in the amount of \$9.95/hour, Stephanie Botkin to help teach swimming lessons pending recertification of the WSI, Harvey Hubbard and Dawn Whitten as a softball coaches in the amount of \$950.00 each for the 2022 season, Aaron Grubb, Michael Tordoff, and James Millman as baseball coaches in the amount of \$1,250.00 each for the 2022 season, all voting aye, motion carried.

PROJECT PAYMENTS: Motion was made by Hansen, seconded by Munger, to approve pay request #2 in the amount of \$1,374.79 to Helms & Associates for the Airport AWOS III project; pay request in the amount of \$1,200.00 to IMEG for the Main Street Preliminary Services; pay request in the amount of \$2,187.50 to IMEG to update the Water Facility Plan; and pay request in the amount of \$2,250.00 to IMEG to update the Wastewater Facility Plan, all voting aye, motion carried.

The airport project expenses will be reimbursed by 95% from grant funding.

FINANCIAL REPORTS Motion was made by Spader, seconded Asleson, to approve the February, 2022 Cash Balances Report as presented by the Finance Officer, all voted aye, motion carried.

OVERTIME: Motion was made by Spader, seconded by Munger, to approve the February, 2022 overtime as presented, all voting aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) the February law enforcement report; 2) property clean-up; and 3) various training/meetings for council members or employees.

ADJOURN: There being no further business the meeting was adjourned on motion by Hansen.

To comply with SDCL 6-1-10. Publication of Payroll information, the payroll changes were effective as follows: Mary Purintun \$23.04/hour effective February 1, 2022, Barb Hansen \$11.50/hour; Kristy Hubbard \$3,927.73/month, Patty Garry \$16.31/hour effective March 1, 2022.

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ _____