

REGULAR MEETING DE SMET COMMON COUNCIL
February 10, 2021

The De Smet Common Council met in regular session on February 10, 2021, at 5:00 p.m., with the following present: Council members Bret Jensen, Pam Spader, Lowell Hansen, George Cavanaugh, Shon Asleson, Mayor Gary Wolkow, Finance Officer Tracey Larson, and City Attorney Todd Wilkinson. Absent: Jay Slater.

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 expressed condolences to the family of former Mayor Roger Knock. Mayor Wolkow asked anyone attending the meeting by phone or video conference to please mute their devices.

MINUTES: Motion was made by Spader, seconded by Jensen, to approve the minutes of the January 13, 2021 Regular Meeting, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Spader, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$38,263.97; OASI Benefit 2,927.23; Aflac, ins. premium 280.95; Dearborn National, life insurance 105.60; Delta Dental of South Dakota 360.44; VSP 190.96; The Health Pool of SD, health insurance premium 5,678.34; SDRS, retirement benefit 3,778.08; Mediacom, utilities 111.99; American Trust Insurance, insurance premium 2,500.00; American Water Works Assoc., supplies 79.00; Avid Hawk LLC, monthly web site fee 35.00; Bau Plumbing & Heating, repairs 4,487.67; Brookings Register, publishing 269.00; Butler Machinery, repairs & maintenance 53.44; Center Point Large Print, books 29.21; Century Link, utilities 546.20; City of De Smet, utilities 345.88; City of De Smet, supplies 56.54; Connecting Point, off-site backup, supplies, repairs & maintenance 660.00; Cook's Wastepaper & Recycling, residential garbage collections 6,598.62; Country, supplies 25.00; Cowboy Country Store, fuel 340.73; De Smet Trustworthy Hardware, supplies 162.17; De Smet Welding & Machine, repairs & maintenance 310.00; Department of Health, water labs 58.00; Don Flickinger, event center deposit refund, 10.00; Donald Spader, check reissue 75.00; Eternal Security Products, supplies 235.71; First District Assoc., annual dues 1,349.59; Glacial Lakes & Prairies, marketing 550.00; Green Energy Solutions, Inc., repairs & maintenance 385.00; Hawkins, Inc., water chemicals 2,472.14; Hydro-Klean, sewer reline 14,485.83; Jenny Todd, event center deposit refund, 10.00; Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement contract 6,283.33; Kingsbury Electric Cooperative utilities 204.29; Kingsbury Journal, publishing 393.87; Kingsbury Journal, subscription renewal 65.00; Krier & Blain, Inc., hospital repair 479.25; Kristy Hubbard, travel & registration 82.32; Micro Marketing LLC, supplies 148.00; Northwestern Energy, utilities 1,261.41; O'Keefe Implement, Inc., supplies, repairs & maintenance 105.75; Office Peeps, Inc., supplies & copier contract 2,501.97;

Ottertail, utilities 5,618.96; Overdrive, Inc., annual fees 600.00; Postmaster, supplies 197.00; Reed, Inc., debt service payment 690.58; Reed, debt service payment 2,500.00; Rich's Gas & Service, supplies, fuel, repairs & maintenance 1,518.86; Rod's repair, repairs & maintenance 459.18; RW Contracting, repairs & maintenance 695.98; Ryan Petersen, reimburse supplies 77.85; SD DENR, certification fees 18.00; SD Dept. of Revenue, sanitation sales tax 449.94; SD One Call, locates 47.25; SDML Workers' Comp Fund, insurance premium 95.00; Share Corp, supplies & chemicals 3,098.24; State of SD, utilities 5.40; Water Billboards, supplies 870.20; Zell Manufacturing, repairs & maintenance 154.30; Clark Engineering, water looping project 1,614.50; Helms & Associates, turnaround project 1,226.70; Meierhenry Sargent LLP, water looping project 5,650.00.

EQUALIZATION MEETING: A letter from the Kingsbury Equalization Director was presented to the council. The letter outlined the deadlines for residents to appeal their property assessed value. Motion was made by Spader, seconded by Cavanaugh, to approve setting the Equalization meeting on March 15, 2021 at 5:15 at City Hall, all voting aye, motion carried.

TAX ABATEMENT: Three applications for abatement of property taxes for the following properties legally described as: Lots 11 & 12, Block 4, Original Plat, W 108' of Lot 10, Block 4, Original Plat, and Lots 1 & 2, Block 2, Original Plat, De Smet, Kingsbury, South Dakota were presented to the council. The three properties were purchased by a non-profit organization after the non-profit status paperwork deadline had already passed. Motion was made by Spader, seconded by Cavanaugh, to approve the abatement of property taxes for the following properties legally described as: Lots 11 & 12, Block 4, Original Plat, W 108' of Lot 10, Block 4, Original Plat, and Lots 1 & 2, Block 2, Original Plat, De Smet, Kingsbury County, South Dakota, all voting aye, motion carried.

RESOLUTION 2020-1: At the June 10, 2020 Regular Council meeting, the council approved amending Resolution 2020-1 to allow establishments to open to 50% of building capacity at a time for on-premise consumption of food/beverage excluding employees, with six (6) feet social distancing between people, businesses being responsible to monitor their establishment, to be effective June 11, 2020, with no additional special meetings to be held unless drastic changes happen with the number of COVID-19 cases. Motion was made by Cavanaugh, seconded by Jensen, to approve extending the current Resolution 2020- until March 10, 2021, four voting aye, one voting nay, motion carried.

AERIAL SPRAYING PERMIT: Motion was made by Asleson, seconded by Spader, to approve the 2021 Aerial Spraying Permit submitted by Brodie Glanzer, with Agtegra, all voting aye, motion carried.

PUBLIC COMMENTS: Kristy Hubbard, representing the LIW Pageant Board, presented a tentative schedule of events planned for the pageant weekends to celebrate the 50th anniversary of the pageant. Activities will be scheduled throughout all three weekends. It may be necessary to have some streets blocked for some activities.

SECOND READING TO SUPPLEMENT THE 2021 EXPENDITURE BUDGET: With the contribution for the Event Center Audio project and re-allocation of where the Development Corporation Annual contributions will be paid

from, it is necessary to amend the 2021 Appropriation Ordinance to reflect the change and increase. Motion was made by Cavanaugh, seconded by Jensen, to approve the second reading to approve Ordinance No. IV-221 to supplement the 2021 budget, all voted aye, motion carried.

ORDINANCE IV-221

AN ORDINANCE AMENDING APPROPRIATION ORDINANCE IV-217 AND PROVIDING FOR A SUPPLEMENTAL BUDGET AND ADJUSTING APPROPRIATIONS OF THE CITY OF DE SMET, FOR THE YEAR 2021.

BE IT ORDAINED BY THE CITY OF DE SMET, SOUTH DAKOTA that the following sums are supplementally appropriated to meet the obligations of the municipality:

GROSS RECEIPTS TAX

OTHER FINANCING USES:

460 Conservation & Development	\$ 15,000.00
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TOTAL APPROPRIATIONS	\$ 15,000.00
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SOURCE OF FUNDING:

Undesignated Fund Balance	\$ 10,000.00
310 Taxes	\$ 5,000.00

TOTAL FUNDING	\$ 15,000.00
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Dated this 10th day of February, 2021.

ATTEST:

Gary Wolkow, Mayor

Tracey Larson Finance Officer

Passed First Reading: January 13, 2021
Passed Second Reading & Adopted: February 10, 2021
Published: February 24, 2021

ZONING: Motion was made by Jensen, seconded by Hansen, to approve the second reading to amend Zoning Ordinance VII-8, Chapter 2.05 "R-1" Section 2.05.01 Permitted Uses, to amend 1. to include Duplexes, all voting aye, motion carried.

**ORDINANCE NO. VII-10
ZONING ORDINANCE AMENDMENT**

CHAPTER 2.05 "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT

Section 2.05.01 Permitted Uses:

The following uses and structures shall be permitted in the "R-1" Single Family Residential District:

1. Single-family dwellings/Duplexes
2. Modular homes
3. Public park and recreation areas
4. A sign not more than four hundred and thirty-two (432) square inches in area, appertaining to the lease, hire or sale of a building or premises. A renewable permit for one-year periods for the erection and maintenance of larger signs for real estate purposes may be issued upon approval of the City Planning and Planning and Zoning Commission.
5. Churches and parish houses

Dated this 10th day of February, 2021.

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Passed First Reading: January 13, 2021

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EXECUTIVE SESSION: Motion was made by Cavanaugh, seconded by Asleson, to approve going into executive session at 5:23 pm to discuss contract negotiations and personnel policy, all voting aye, motion carried. Mayor Wolkow declared the council out of executive session at 5:57 pm.

PERSONNEL POLICY: Motion was made by Asleson, seconded by Cavanaugh, to approve adding Grade 7B RUS Supt.& Assist. Street Personnel to the City of De Smet Personnel Policy Steps & Grades with a starting base rate pay of \$15.97 per hour, all voting aye, motion carried. Motion was made by Cavanaugh, seconded by Jensen to amend the water and sewer certification completion hourly increase from \$1.00 to \$0.50 effective February 10, 2021, all voting aye, motion carried.

AMBULANCE LEASE AGREEMENT: Motion was made by Cavanaugh, seconded by Spader, to approve renewing the lease agreement with DeSmet Emergency

Rescue Unit, Inc. for a period of five years in the amount of \$4,800.00 annually, all voting aye, motion carried.

WATER LEAK ADJUSTMENT: An application for a one-time water leak adjustment for account #1905.00 in the amount of \$214.97 was presented to the council . The average monthly water usage was deducted from the total water used during the leak period and only water usage fees were calculated. Motion was made by Cavanaugh, seconded by Asleson, to approve a one-time water leak adjustment to account #1905.00 in the amount of \$214.97 total (\$107.49 water & \$107.48 sewer), all voting aye, motion carried.

PERSONNEL: Applications for the Building/Park Supt. position were previous reviewed and applicants were interviewed by the Building/Parks committee. Motion was made by Cavanaugh, seconded by Asleson, to approve hiring Jason Springer as the Building/Parks Supt. at the rate of \$19.30 per hour, all voting aye, motion carried.

RUS SUPT./STREET ASST. & SEASONAL HELP: Motion was made by Cavanaugh, seconded by Spader, to approve advertising for a full time RUS Supt./Assistant Street person and 2021 summer help, baseball and softball coaches, and lifeguards, all voting aye, motion carried.

SURPLUS PROPERTY: Motion was made by Asleson, seconded by Cavanaugh, to approve declaring four (4) skid steer tires 10-16.5 Solideal Xtra-Wall 10 P.R. as surplus property to be disposed of, all voting aye, motion carried.

STREETS: Ryan Petersen, Street Supt. met with the council to discuss his plan for 2021 chip sealing and crack sealing. Petersen has been in contact with LTAP and engineer to get more information on fog coating benefits. Supt. Petersen also said the street sweeper is not back yet and daily operations at the airport have been fine. Motion was made by Hansen, seconded by Asleson, to approve calling for bids to seal coat approximately 22,800 square yards with an alternate #1 to include an additional 6,400 square yards of seal coating, and an alternate #2 to include approximately 1,900 square yards of fog sealing, all voting aye, motion carried. Motion was made by Asleson, seconded by Hansen, to approve calling for bids to crack seal approximately 25,000 lineal feet, all voting aye, motion carried. The council also thanked Supt. Petersen for the snow removal done this winter.

PROJECT PAYMENTS: Motion was made by Asleson, seconded by Spader, to approve pay request #5 in the amount of \$1,226.70 to Helms & Associates for the turnaround's project, pay request #5 in the amount of \$1,614.50 to Clark Engineering/IMEG for the water looping project, and pay request #1 in the amount of \$5,650.00 to Meierhenry Sargent, LLP for water looping project, all voted aye, motion carried. The airport project expenses will be reimbursed by 100% from grant funding.

FINANCIAL REPORTS: Motion was made by Spader, seconded Hansen, to approve the January 2021 Cash Balances Report as presented by the Finance Officer, all voted aye, motion carried.

OVERTIME: Motion by Hansen, seconded by Cavanaugh, to approve the overtime hours for the month of January as presented, all voted aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) the January law enforcement report; 2) nuisance properties; 3) district meeting dates; 4) the Event Center audio fund raiser balance; and 5) the council petition deadline date.

ADJOURN: There being no further business the meeting was adjourned on motion by Spader, seconded by Jensen.

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ _____