

REGULAR MEETING DE SMET COMMON COUNCIL

September 11, 2019

The De Smet Common Council met in regular session on September 11, 2019, at 5:00 p.m., with the following present: Bret Jensen, Alex Botkin, Lowell Hansen, George Cavanaugh, Norman Whitaker, Jay Slater, Mayor Gary Wolkow, FO Tracey Larson, and City Attorney Todd Wilkinson. Absent: none.

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

ANNOUNCEMENTS: Mayor Wolkow announced that on Friday, September 20th, the De Smet School will be having a homecoming parade starting at 1:45 pm with a pep rally to follow on Main Street at 2:15 pm. Mayor Wolkow asked everyone to take a minute to remember all the responders and people who lost their lives 18 years ago on September 11th. On Saturday, September 7th, Mayor Wolkow was presented a statue as a thank you to the City of De Smet for their support during the official closing ceremony of the Nation Guard Armory in De Smet.

MINUTES: Motion was made by Jensen, seconded by Whitaker, to approve the minutes of the August 14, 2019 Regular Meeting and August 27, 2019 Special Meeting, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Whitaker, to approve payment of the claims as presented including the claim in the amount of \$2,861.70 to Susanne Albrecht, refund for a moving permit approved in 2018 after completion of the new business structure, all voting aye, motion carried. The claims are as follows: PAYROLL \$41,500.91; OASI Benefit 3,174.80 Aflac, ins. premium 280.95; Dearborn National, life insurance 123.20; Delta Dental of South Dakota 406.64; VSP 226.16; Health Pool of SD, health insurance premium 7,729.93; SDRS, retirement benefit 3,946.26; Mediacom, utilities 260.90; Mediacom office internet 73.10; Visa, supplies & utilities 411.61; SD Municipal League, conference registration 100.00; Mediacom, utilities 70.81; American Trust Insurance, insurance 236.00; Avid Hawk LLC, web site fee 35.00; Barrett's Furniture & Flooring, repairs & maintenance 16.00; Center Point Large Print, supplies 29.21; Century Link, utilities 543.98; City of De Smet, petty cash 98.16; City of De Smet, utilities 404.67; Connecting Point, repairs & maintenance, supplies 824.14; Cook's Wastepaper & Recycling, city garbage collection 247.50; Cook's Wastepaper & Recycling, residential garbage 6,218.44; De Smet Development Corp., contribution 20,000; De Smet Flowers & Gifts, supplies 58.00; De Smet Trustworthy Hardware, supplies 489.22; Demco, supplies 278.41; Dept of Environment & Natural Resources, supplies 100.00; Dept of Health water labs 130.00; The De Smet News, publishing & supplies 498.65; Feld Fire, equipment 6,366.00; Glacial Lakes and Prairies, marketing 3,116.00; Grumpy's Grill & Pub, meter deposit refund 125.00; Hack, supplies 120.00; Hawkins, Inc., chemicals 1,791.24; Heartland Paper Company, supplies 827.46; Janet Flood, event center deposit refund 50.00; Janice Poppen, event center deposit refund 375.00; Kayla Stewart, event center deposit refund 325.00; Kingsbury Electric Cooperative, repairs & maintenance 33,329.45;

Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement contract 6,283.33; Kingsbury Electric Cooperative, utilities 157.96; Mack Landscaping Lawn Irrigation, repairs & maintenance 325.00; Maynard's De Smet, supplies 171.17; Maynard's De Smet, pool supplies 209.52; McCune Electric, LLC, repairs & maintenance 277.81; Micro Marketing LLC, supplies 667.26; Northwest Pipe Fittings, Inc., repairs & maintenance 140.50; Northwestern, utilities 81.71; O'Keefe Implement, Inc., repairs & maintenance, supplies 468.12; Office Peeps, Inc., library supplies 94.08; Office Peeps, Inc., supplies 344.86; Ottertail, utilities 5,760.64; Postmaster, supplies 175.00; Reader Service, supplies, 18.33; Reed Inc., debt service 1,448.41; Reed Inc., debt service 690.58; Reed Inc., debt service 2,500.00; Rich's Gas & Service, fuel, repairs & maintenance 657.38; Richard Stoddard, reimburse for supplies 45.31; SD Dept. of Revenue, recreation sales tax 593.83; SD Dept. of Revenue, sanitation sales tax 424.74; Share Corp, chemicals 2,470.86; Smith's Lumber, supplies, repairs & maintenance 151.08; State of South Dakota, utilities 13.48; Susanne Albrecht, 2018 moving permit refund 2,861.70; The Main Stop, fuel & supplies 1,191.85; The Saturday Evening Post, supplies 26.94; Tracey Larson, mileage 104.86; True North Steel, Inc., repairs & maintenance 588.00; W & A Rentals, Ribfest rentals 511.20; Ward's Store, Ribfest supplies 262.30; Zell Manufacturing, Inc., repairs & maintenance 121.88; Helms & Associates, airport taxilane project 2,405.04; Helms & Associates, airport turnarounds project 247.85.

SURPLUS PROPERTY: This being the date and time public noticed to open sealed bids for the 1990 Bauer Compressor Unit. No bids were received. The 1990 Bauer Compressor Unit will be sold on a first come basis. An appraisal in the amount of \$125.00 was recommended for the 125 Gallon Propane Tank, and an appraisal in the amount of \$75.00 was recommended for a Wisconsin heavy-duty air-cooled motor model VH4DG. Motion was made by Slater, seconded by Cavanaugh to accept the appraisals in the amount \$125.00 for the 125 Gallon Propane Tank, and \$75.00 for the Wisconsin heavy-duty air-cooled motor model VH4DG and to advertise the propane tank and motor for sale, all voting aye, motion carried.

LIQUOR LICENSE AND OPERATING AGREEMENT TRANSFER: This being the date and time set for the hearing of the transfer of the Grumpy's Grill & Pub on-sale liquor license and Operating Agreement from Shawn Jenkins & Connie Bitner to Mike Hunt & Adam Sorenson, Dakota Grills Catering, LLC dba Grumpy's appearing in favor of said transfer and no one appearing in opposition, motion was made by Cavanaugh, seconded by Slater, to approve the transfer of the Grumpy's Grill & Pub on-sale liquor license and Operating Agreement from Shawn Jenkins & Connie Bitner to Mike Hunt & Adam Sorenson, Dakota Grills Catering, LLC dba Grumpy's, all voting aye, motion carried.

SPECIAL LIQUOR LICENSES: The De Smet Volunteer Fire Department has requested three special liquor licenses for events to be held at the De Smet Event Center on September 21, 2019 from 4:00 PM to 12:00 AM, and on September 28, 2019 from 4:00 PM to 1:00 AM, and an event to be held at the Good Samaritan Center on September 29, 2019 from 11:00 AM to 4:00 PM. Motion was made by Slater, seconded by Whitaker, to

approve the three special liquor licenses for the De Smet Volunteer Fire Department, for events to be held at the De Smet Event Center on September 21, 2019 from 4:00 PM to 12:00 AM, and on September 28, 2019 from 4:00 PM to 1:00 AM, and an event to be held at the Good Samaritan Center on September 29, 2019 from 11:00 Am to 4:00 PM, all voting aye, motion carried.

SECOND READING FOR RE-ZONING: Motion was made by Cavanaugh, seconded by Slater, to approve the second reading of Ordinance No. VII-25, an ordinance to amend Article I, Chapter 1.03 as adopted by Ordinance No. VII-8 on February 15, 2000, as the Zoning Ordinance of the City of De Smet, to change the zoning classification of property legally described as: W57' of S115' of OL 26 & E 40' of S 115 of vacated Poinsett Street Adjoining OL 26 in S2NW 27-111-56 Hoyer's Sub Div City Aud Plat, to the City of De Smet and E 110' of W 167' of S 115' of OL 26 S2NW 27-111-56, City Aud Plat of Outlots, to the City of De Smet, be amended from Agricultural (A) to General Residential (R-2), all voting aye, motion carried.

ORDINANCE No. VII - 25

AN ORDINANCE AMENDING ARTICLE 1, CHAPTER 2.08, ADOPTED BY ORDINANCE NO VII-8, ON FEBRUARY 15, 2000, AS THE ZONING ORDINANCE OF THE CITY OF DESMET

Notice is hereby given that Ordinance No. VII-24, An Ordinance amending Article 1, Chapter 2.08, as Adopted By Ordinance No. VII-8 on February 15, 2000, as the Zoning Ordinance of the City of De Smet, was duly adopted by the City Council on the 11th of September, 2019, and will become effective on the 22nd day of October, 2019.

Ordinance No. VII-25

AN ORDINANCE ENTITLED, an ordinance to amend Article 1, Chapter 2.08, as Adopted by Ordinance No. VII-8 on February 15, 2000, as the Zoning Ordinance of The City of De Smet.

Be it ordained by the City Council of the City of De Smet, South Dakota: that Article 1, Chapter 2.08 as adopted by Ordinance No. VII-8 on February 15, 2000 as the Zoning Ordinance of the City of De Smet, be amended to classify the following property: W57' of S115' of OL 26 & E 40' of S 115 of vacated Poinsett Street Adjoining OL 26 in S2NW 27-111-56 Hoyer's Sub Div City Aud Plat, to the City of De Smet and E 110' of W 167' of S 115' of OL 26 S2NW 27-111-56, City Aud Plat of Outlots, to the City of De Smet, be amended from Agricultural (A) to General Residential (R-2).

Passed and adopted this 11th day of September, 2019.

Gary Wolkow, Mayor

Tracey Larson, Finance Officer

This ordinance shall become effective 20 days after the last publication of this notice once a week for two successive weeks in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum is timely involved prior thereto.

Dated this 11th day of September, 2019.

Tracey Larson
Finance Officer,
De Smet, South Dakota

Passed 1st Reading: August 14, 2019
Passed & Adopted: September 11, 2019
Publication Dates: September 25, 2019 & October 2, 2019
Effective Date: October 22, 2019

BUILDING/CONCRETE/DEMO PERMITS: Motion was made by Botkin, seconded by Slater, to approve the building permit submitted by Wayne Wolkow - 4 ft. chain link fence, all voting aye, motion carried. Motion was made by Jensen, seconded by Slater, to approve the building permit submitted by American Engineered Products (Michael Wiese) - 72' x 78' warehouse addition to the current structure, all voting aye, motion carried. Motion was made by Jensen, seconded by Botkin, to approve the building permit application submitted by Randy Asleson - 12' x 12' storage shed, all voting aye, motion carried. Motion was made by Slater, seconded by Cavanaugh, to approve the building permit submitted by Mark Purintun - house and garage addition to current residential structure, all voting aye, motion carried. Motion was made by Slater, seconded by Whitaker, to table the building permit application submitted by Jack Mann until a zoning officer can look at the property, all voting aye, motion carried. Motion was made by Botkin, seconded by Slater, to approve the concrete permit application submitted by Richard Smith - 9'x 18' patio and 13'x 22' driveway, all

voting aye, motion carried. Motion was made by Slater, seconded by Jensen, to approve the concrete permit application submitted by Dustin McCune - 14' x 14' patio and sidewalk, all voting aye, motion carried. Motion was made by Jensen, seconded by Whitaker, to approve the demolition permit application submitted by Jennifer Grover - remove front porch, all voting aye, motion carried.

PUBLIC COMMENTS: none.

ISAAC WILDE: Isaac Wilde, owner of Wilde Air Service, met with the council to discuss the possibility of building a containment area at the airport and about applying for the 2020 spraying aerial spraying permit. Wilde currently leases a lot at the airport and would need addition space to for the containment pad. Attorney Wilkinson is going to look for records identifying lots platted at the airport. Wilde has building permit that has been approved by Kingsbury County for the containment area, and an air space study has been submitted to the FAA by the airport engineer. Concerns regarding a chemical spill and cleanup were addressed with Wilde and all agreed that a containment pad would eliminate any concerns of a prevent a contamination issue in the future. Motion was made by Slater, seconded by Hansen, to grant a 30-day easement to use additional land area due to airport project construction and table the request to build a containment pad area at the airport until plat records were obtained, all voted aye, motion carried.

EXECUTIVE SESSION: Motion was made by Slater, seconded by Jensen, to approve going into executive session for contractual items at 5:46 PM, all voted aye, motion carried. Mayor Wolkow declared the council out of executive session at 6:32 PM.

FIRE DEPT. MEMBER: Motion was made by Cavanaugh, seconded by Slater, to approve Mykel Anderson joining the De Smet Volunteer Fire Department, all voting aye, motion carried. Anderson will be replacing Greg Hiles.

2020 ANNUAL APPROPRIATIONS: Motion was made by Cavanaugh, seconded by Hansen, to approve the second reading of the 2020 Annual Appropriation Ordinance No. IV-217, all voting aye, motion carried.

SURPLUS PROPERTY & DEVELOPMENT: Motion was made by Cavanaugh, seconded by Whitaker, to declare property legally described as East 60' of Outlot 11 of the County Auditor's Plat of Outlots in De Smet, and vacated Street right of way lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, All in the City of De Smet, Kingsbury County, South Dakota, all voting aye, motion carried. Motion was made by Cavanaugh, seconded by Slater, to approve deeding property legally described as East 60' of Outlot 11 of the County Auditor's Plat of Outlots in De Smet, and vacated Street right of way lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, All in the City of De Smet, Kingsbury County, South Dakota to the De Smet Development Corporation with the condition that the land must be developed within one year, all voting aye, motion carried.

OCTOBER REGULAR MEETING: Due to other meetings, a motion was made by Hansen, seconded by Whitaker, to reschedule the October regular meeting date to October 8, 2019 at 5:00 at City Hall, all voting aye, motion carried.

BUILDINGS/PARKS/POOL: Cole Munger, Supt. of Buildings, Parks, and Pool, presented the council with quotes for a storage shed to be placed at the new baseball field. Quotes received for a 12' x 24'

storage shed were as follows: Castlerock - shed with concrete floor \$11,570.82 & excise tax, or shed with wood floor \$12,227.65 & excise tax; Quality Storage Buildings - shed with wood floor \$6,090.00; and Schubloom Const, Inc. - shed with concrete floor & excise tax \$8,463.78, or shed with wood floor and excise tax \$7,908.88. The council agreed with the prior experience of city personnel, the concrete pad was small enough for the city crew to install. Motion was made by Cavanaugh, seconded by Slater, to authorize the purchase of a 12' x 24' storage shed from Quality Storage Buildings with the total project expenses not to exceed \$8,000.00, all voting aye, motion carried. Discussion was held in regard to moving a garage offered for sale by Wendell Schubloom. After much discussion, it was agreed that the garage was too big for the area it was to be moved to. Motion was made by Cavanaugh, seconded by Jensen, to decline purchasing the garage to be moved from Wendell Schubloom property, all voting aye, motion carried. Supt. Munger also reported that he had contacted a company from Missouri about an annual inspection contract for the sirens. A part has been ordered for one of the sirens. If the part ordered does not fix the issue, we may need to contact the company for additional repairs. Supt. Munger discussed with the council the possibility of keeping the old fire truck to clean culverts, ordering a computer board to have on hand for the crossing signal in 2020, and the floor in the Harvey Dunn School building. Supt. Munger reported that the floor on the north side of the Harvey Dunn School building is spongy and rotting. The floor will need to be repaired and ventilation put under the building to prevent the moisture from damaging the floor in the future. There was also discussion about how to prevent snow from accumulating between the building and chain link fence on the north side of the building.

STATE WATER PLAN: Motion was made by Jensen, seconded by Hansen, to approve the City of De Smet submitting an application to be put on the State Water Plan for the water looping proposed project, and authorize the Mayor as the official to sign documents the State Water Plan, all voting aye, motion carried.

AIRPORT PAYMENTS: Motion was made by Slater, seconded by Hansen, to approve pay request #17 in the amount of \$2,405.04 for the Hardstand & taxi lane project, and pay request #7 in the amount of \$247.85 to Helms & Associates for the turnarounds, all voting aye, motion carried. These airport project expenses will be reimbursed by 95% from grant funding.

Personnel: Motion was made by Slater, seconded by Cavanaugh, to approve the City paying for the first CDL testing fee for employees required to obtain a CDL, all voting aye, motion carried. Any re-testing fees after the first test will be at the expense of the employee.

CONFERENCES: Motion was made by Hansen, seconded by Botkin, to approve Street Supt. Petersen and one other employee that does mosquito spraying to attend the Mosquito Control and West Nile Conference on October 9, 2019 in Aberdeen, and Dep. Fin. Officer Hansen attending the Annual Safety & Loss Control Training Conference on November 20th & 21st, 2019 in Mitchell, all voted aye, motion carried.

DE SMET DEVELOPMENT DIRECTOR: Rita Anderson, Director, gave a monthly review that included the following: there will be a ROCS transportation meeting on Friday, September 13th at 1:00 at the Event

Center to discuss potential transportation services for Kingsbury County, a community meeting to discuss community day care needs, The Village Assisted Living Facility held a ribbon cutting and grand opening on Sept. 5, 2019 with people of all ages in attendance, a meeting has been scheduled on September 16, 2019 at 1:00 with ISG and the task force to review the preliminary report from ISG, the De Smet Wellness Coalition has been awarded \$8,000.00 to install AED equipment at several locations, and Anderson continues to work on several large projects.

FINANCIAL REPORTS: Motion was made by Hansen, seconded Whitaker, to approve the August 2019 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

OVERTIME: Motion by Hansen, seconded by Jensen, to approve the overtime hours for the month of August as presented, all voting aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) August law enforcement report; and 2) property reviews.

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

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$_____

Correction to the September 11, 2019 minutes to include the resolution previously omitted from the minutes.

SURPLUS PROPERTY & DEVELOPMENT: Motion was made by Cavanaugh, seconded by Whitaker, to declare property legally described as East 60' of Outlot 11 of the County Auditor's Plat of Outlots in De Smet, and vacated Street right of way lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, All in the City of De Smet, Kingsbury County, South Dakota, as surplus property, all voting aye, motion carried. Motion was made by Cavanaugh, seconded by Slater, to approve Resolution 2019-4 declaring and deeding property legally described as East 60' of Outlot 11 of the County Auditor's Plat of Outlots in De Smet, and vacated Street right of way lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, All in the City of De Smet, Kingsbury County, South Dakota to the De Smet Development Corporation with the condition that the land must be developed within one year, all voting aye, motion carried.

Resolution 2019-4

RESOLUTION TO DECLARE SURPLUS AND TRANSFER PROPERTY

WHEREAS THE City of De Smet is the owner and in possession of the following described property, to-wit:

East 60' of Outlot 11 of the County Auditor's Plat of Outlots in De Smet, and vacated Street right of way lying between Outlot 11 and Lot 5, Block 3 of Ely's Addition, all in the City of De Smet, Kingsbury County, South Dakota, subject to easement and reservations of record; and

WHEREAS THE City does not utilize nor is it longer necessary to retain the above described property for municipal purposes.

NOW THEREFORE BE IT HEREBY RESOLVED that the above described property be declared surplus pursuant to SDCL 6-13-1 and

BE IT FUTHER RESOLVED that the City of De Smet transfer the above described real property pursuant to SDCL 6-5-2 to the De Smet Development Corporation for no money consideration.

By: _____
It's _____

ATTEST:

Finance Officer

Adopted: October 22, 2019
Approved: September 11, 2019
Published: October 2, 2019