

REGULAR MEETING DE SMET COMMON COUNCIL
April 12, 2017

The De Smet Common Council met in regular session on April 12, 2017, at 5:00 p.m., with the following present: Alex Botkin, Lowell Hansen, George Cavanaugh, Wendy Currier, Norm Whitaker, Mayor Gary Wolkow, and FO Tracey Larson. Absent: Larry Jensen. Also present: City Attorney Todd Wilkinson via speaker phone for a portion of the meeting.

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

ANNOUNCEMENTS: Mayor Wolkow announced that the Arbor Day program will be held on April 26, 2017 with the De Smet 3rd graders and two trees will be planted by the school this year. Mayor Wolkow issued the following proclamation:

ARBOR DAY PROCLAMATION
2017

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Gary Wolkow, Mayor of the City of De Smet, SD, do hereby proclaim April 28, 2017 as ARBOR DAY, in the City of De Smet, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 12th day of April, 2017.

MINUTES: Motion was made by Botkin, seconded by Cavanaugh, to approve the minutes of the March 8, 2017 Regular Meeting, all voting aye, motion carried.

CLAIMS: Motion by Currier, seconded by Cavanaugh, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$30,004.05; OASI Benefit 2,295.31; Aflac, ins. premium 278.81; Dearborn National, life insurance 140.80; Farm Bureau Bank, health savings 875.00; Delta Dental of South Dakota 447.46; VSP 183.62; Wellmark Blue Cross Blue Shield, health insurance premium 5,646.24; SDRS, retirement benefit 3600.46; Visa supplies 166.94; De Smet Postmaster, postage 73.20; Alyssa Weber, event center refund 50.00; Audrey Lembke election 157.50; Avid Hawk, LLC website;

35.00; Barb Hansen, election 157.50; Brian Breitling, event center refund 50.00; Brown & Saenger, election supplies 74.35; Building Sprinkler, hospital repairs 475.00; Butler Machinery, restricted use site repairs 62.75; Center Point Large Print, library 28.46; Century Link, utilities 499.16; City of De Smet, postage 37.16; Connecting Point, backup 35.00; Cook's Wastepaper & Recycling, sanitation 12,131.10; De Smet Flower & Gifts, supplies 24.00; De Smet Trustworthy Hardware, supplies 31.45; De Smet Trustworthy Hardware, library 118.40; Demco, library 159.62; DENR, water conference 10.00; Dept. of Revenue, water testing, 43.00; The De Smet News, publishing 306.14; De Smet News, Library publishing 91.00; Family Resource Network, event center refund 30.00; Hawkins, chemicals 2,790.71; Heartland Paper Company, supplies 140.59; Kent Sckerl's Tree Service, hospital maintenance 500.00; Kingsbury Electric Cooperative, utilities 188.32; Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement 6,283.33; Kingsbury Conservation District, arbor day supplies 146.00; Kingsbury Electric, utilities 614.73; Kristi Timp, event center refund 275.00; Lake Preston Volunteer Fire Dept., travel and schooling 1,013.50; Laura Shumaker, event center refund 30.00; Maggie Sprang, event center refund 30.00; Maggie Sprang, event center refund 30.00; Marilynn Gehm, election 157.50; Maynard's De Smet, supplies 10.07; Micro Marketing, library 782.20; NAPA, supplies 496.81; Northwestern, utilities 994.09; Office Peeps, Inc., library supplies 95.60; Office Peeps, Inc., supplies 426.80; Ottertail Power Co., utilities 6,094.09; Potomac Aviation Technology, airport repair & maint. 250.00; Prairie Ag, event center refund 50.00; Publishers Weekly, library 249.99; Reader Service, library 17.22; REED, INC, debt service principal 1,448.41; REED, Inc. debt service 690.58; REED, Inc. debt service 2,500.00; Rich's Gas & Service, supplies 1,156.86; Schubloom Construction, maintenance 237.99; Scott Mausbach, event center refund, 30.00; SD Dept. of Revenue, sanitation sales tax 828.81; SD One Call, maintenance 44.87; SD State Historical Society library 32.00; SD Municipal League, fire dept. supplies 45.00; Share Corp., supplies 5,759.25; State of SD, utilities 8.06; Taste of Home, library 26.98; The Magnolia Journal, library 20.00; Mediacom, event center utilities 256.08; Mediacom, utilities; 63.65; SD Governmental Finance Officers School, conference 75.00; SD Governmental Human Resource, finance officer school 50.00; Visa, utilities & supplies 1,665.75.

CHAMBER EVENTS: De Smet Chamber representative, Patti Slater informed the council that Old Settler Days with new activities and July 4th events have been scheduled, and Rib fest will be scheduled in August at the Event Center. A budget of \$4,000 has been approved for the June and July Chamber events. The Car Show and Shine will have an additional expense for insurance. Motion was made by Cavanaugh, seconded by Botkin, to approve spending up to \$4,050.00 for the Old Settler Days and July 4th events, all voting aye, motion carried.

VARIANCE HEARING: This being the date and time public noticed for the hearing on Variance Application #58 submitted by Avera De Smet Memorial Hospital, Whitaker motioned to meet as the Zoning Board of Adjustment, seconded by Hansen, all voting aye, motion carried. The Variance Application #58 was presented to the Planning and Zoning Commission. Bryan Breitling, Avera De Smet Administrator, was present for the hearing and asked the council to consider the Variance Application #58 to allow the new garage to be constructed three (3) feet to the North property line, and nine (9) feet eight (8) inches to the West property line, legally described Lots 1 & 2, Hospital-Clinic

Addition in SE 28-111-56, De Smet, Kingsbury County, South Dakota. If approved, the applicant would be allowed to build a new structure closer than the required corner frontage set-back of 30 feet to both the North and West property lines. There was nobody present from the public in regard to the variance application.

The Board entered its facts and findings as follows:

1. That property legally described as Lots 1 & 2, Hospital-Clinic Addition in SE 28-111-56, 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 subject property is located in an area zoned "R-2" General Residential District on all four adjacent sides of the property.
3. That the lot is located at the intersection of two street right-of-ways (Third Street & Prairie Avenue) and is therefore considered to be a corner lot.
4. That the Area Regulations of the "R2" zoning require a front yard set-back of thirty (30) feet and the "Additional Yard Requirements" in chapter 4.07 Yards, states that a corner lot must have a front yard along both streets.
5. That the applicant has filed the required application for the variance application and the notice of hearing was properly given.
6. That none of the adjacent property owners presented any objections to the proposed variance.
7. That granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
8. That the distance set-back on the West side of the property would be allowed since the new structure would be built the same distance as the existing structure on the property.
9. That the North property line is angled making the East side of the property narrower than the West side therefore making it necessary to grant a variance.
10. That the new structure will not affect the visibility of the intersection.
11. That the reasons set forth in the application justify granting a variance.

Based upon these findings, a motion was made by Botkin, and seconded by Currier, to recommend approval of the variance application #58 to Avera De Smet Memorial Hospital, all voting aye, motion carried. Mayor Wolkow declared the Board of Adjustment as adjourned and reconvened as the Common Council. Motion was made by Botkin, seconded by Currier, to accept the recommendation of the Board of Adjustment and approve the variance application #58 to Avera De Smet Memorial Hospital to allow the construction of a garage that will not meet the required frontage set-backs of a corner lot on the property legally described as Lots 1 & 2, Hospital-Clinic Addition in SE 28-111-56, De Smet, Kingsbury County, South Dakota, all voting aye, motion carried. **HOSPITAL CONCRETE REPAIR:** A quote in the amount of \$3,220.14 was presented to the council from Behm Construction, Inc. to replace a 26 ft. x 21 ft. area of concrete at the hospital parking lot. Motion was made by Cavanaugh, seconded by Whitaker, to approve hiring Behm Construction, Inc. to replace a 26' x 21' area of concrete on the hospital parking lot in the amount of \$3,220.14, all voting aye, motion carried.

BUILDING & DEMOLITION PERMITS: Motion by Botkin, seconded by Cavanaugh, to approve the building permits and demolition permit submitted by Avera De Smet Memorial Hospital - garage; Shon Asleson - patio; Maynard's, Inc., building addition; Ryan & Marie Larson - patio & sidewalk; Troy Gilen - garage & patio; and demolition permit for Maynard's, Inc., - remove structure, all voting aye, motion carried.

CRACK SEALING BIDS: This being the date and time public noticed for the opening of bids for crack sealing council was informed that no bids for crack sealing were received. Bids from the City of Arlington and the City of Volga were presented to the council. FO Officer Larson will contact the company awarded the bid to crack seal in Arlington and City of Volga about crack sealing in De Smet. Motion was made by Hansen, seconded by Currier, to approve hiring Topkote, Inc. for approximately 80,000 lineal feet in the amount of \$0.635 per lineal foot based upon the bid submitted to the City of Volga, all voting aye, motion carried.

THIRD STREET PARING: Motion was made by Cavanaugh, seconded by Whitaker, to approve painting a no parking area on the curb on the North side of Third Street near two driveways, all voting aye, motion carried.

EXECUTIVE SESSION: Motion was made by Currier, second by Cavanaugh, to go into executive session at 5:45 PM for the purpose of consulting with the City Attorney to discuss a contract, all voting aye, motion carried. Mayor Wolkow declared the council out of executive session at 6:10 PM.

EVENT CENTER LEASE CONTRACT: Motion was made by Cavanaugh, seconded by Botkin, to approve a two-year lease contract in the amount of \$11,500.00 per year with the De Smet Independent School District #38-2 for usage of the De Smet Event Center specified areas, parking lot, and adequate water for irrigation, all voting aye, motion carried.

KINGSBURY COUNTY PRE-DISASTER MITIGATION PLAN: The Kingsbury County Board of commissioners is applying for a grant to assist in the cost of updating and revising the Kingsbury County Pre-Disaster Mitigation Plan, 2014 that will include participating cities and towns that wish to be eligible. Motion was made by Whitaker, seconded by Currier, to approve Resolution 2017-1 to participate the FEMA pre-disaster mitigation plan, all voting aye, motion carried.

RESOLUTION 2017-1

RESOLUTION GIVING APPROVAL TO PARTICIAPTE IN THE FEMA PRE-DISASTER MITIGATION PLAN

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of De Smet as follows:

WHEREAS, Kingsbury County is applying for a grant to assist in the cost of updating and revising the Kingsbury County Pre-disaster Mitigation Plan, 2014. It is a requirement that every jurisdiction wishing to qualify for federal disaster mitigation grant funds must have a FEMA approved plan.

FURTHERMORE, the plan must be revised and re-approved every five years.

NOW, THEREFORE, with a full understanding of the obligation incurred by participating in the FEMA pre-disaster mitigation planning process as a participant in a multi-jurisdictional plan, I, Gary

Wolkow, Mayor, commit the City of De Smet to the Kingsbury county multi-Jurisdictional Pre-disaster Mitigation planning effort.

Dated this 12th day of April, 2017.

City of De Smet

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Approved: Aril 12, 2017
Published: April 26, 2017
Adopted: May 17, 2017

EVENT CENTER DIRECTOR: Kristy Hubbard, Event Center Director, met with the council to discuss a request to make roller skating at the Event Center a city sponsored activity to be held every other Friday night for approximately two and a half to three hours. Waivers would be signed by the participants and a fee to cover expenses would be charged. Motion was made by Cavanaugh, seconded by Currier, to approve the city sponsoring the roller skating at the Event Center with a fee to be collected to help defray expenses, all voting aye, motion carried.

FRISBEE GOLF: John Hart met with the council to present a diagram he had planned for a Frisbee golf course at the Washington Park. The council advised John to meeting with Park Supt. Stoddard about the plan and to mark the course with flags.

FLOWER BARRELS: One quote was received to provide and plant flowers in 25 barrels on main street and 2 containers at the library were as follows: Poinsett Gardens Inc.-\$0/barrel. Motion by Cavanaugh, seconded by Currier, to accept the quote of Poinsett Gardens Inc. of \$0/barrel, to provide and plant the flowers, for a total cost of \$0.00, all voting aye, motion carried.

BASEBALL FIELD PROJECT: Council member Cavanaugh updated the council on the new baseball field project with the following information: Mack Landscaping will be coming back in a little over a week to continue work on the field; due to reducing the infield distance, additional irrigation will need to be installed; agri-lime will need to be ordered and hauled; the De Smet High School Shop Class is constructing the dugouts; and they are looking into expanding the wood base used for the backstop along the front of the dugouts.

ELECTION CANVASS: The Mayor declared the Council to be convened as the official canvass board. The canvass of the returns from the April 11, 2017 municipal election as recorded in the poll books were found to be correct as follows:

WARD I: Jay B.K. Slater
Wendy Currier

45
33

The total ballots voted and counted at the time of the election tallied with the amount of the canvass board; motion by Cavanaugh, seconded by Whitaker, to declare the vote to be correct, four voting aye, Currier abstained, motion carried.

WARD II: Donald Bohn	57
Alex J. Botkin	38

The total ballots voted and counted at the time of the election tallied with the amount of the canvass board; motion by Whitaker, seconded by Cavanaugh, to declare the vote to be correct, four voting aye, Botkin abstained, motion carried.

FINANCE OFFICER & HUMAN RESOURCE SCHOOL: Motion by Hansen, seconded by Currier to approve FO Tracey Larson to attend the Finance Officers and Human Resources School, in Pierre on June 6th - 9th, all voting aye, motion carried.

ELECTRONIC COLLECTION & FREE RUS DUMPING: Motion was made by Hansen, seconded by Cavanaugh, to approve the Electronics Collection date of May 5, 2017 and the free Restricted Use Site Dumping dates of May 2, 6, 9, & 13, 2017, all voting aye, motion carried. Hours will be posted in the paper and on the city website.

DE SMET DEVELOPMENT DIRECTOR: Rita Anderson, Director, gave a monthly review that included the following: the Minnesota Twins Grant that she submitted has been awarded \$5,000.00 to put toward the baseball field project; the Bush Foundation video crew was in De Smet filming Bush Award recipients and will be coming back to do more filming; De Smet has been selected as the featured city for the SD State Fair and will be located in the Horticulture Building and will also have a table set up to answer question about De Smet; and there will be a Safety Town Program for children ages 4,5, and 6 to learn about various safety topics beginning May 22, 2017 through May 26, 2017 at the Event Center.

FINANCIAL REPORTS: Motion was made by Hansen, seconded Whitaker, to approve the March 2017 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

OVERTIME: Motion by Botkin, seconded by Currier, to approve the overtime hours for the month of March as presented, all voting aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) March law enforcement report; 2) spring property clean-up reviews to be completed by the council members in each ward by the May council meeting; and 3) seasonal help.

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

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ _____