

REGULAR MEETING DE SMET COMMON COUNCIL
June 5, 2024

The De Smet Common Council met in regular session on June 5, 2024, at 5:00 p.m., with the following present: Council members Dustin McCune, George Cavanaugh, Bret Jensen, Dane Coughlin, Lowell Hansen, Pam Spader, 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 started with the council and those from the public reciting the Pledge of Allegiance.

MINUTES: Motion was made by Cavanaugh, seconded by Spader, to approve the minutes of the May 8, 2024, Regular Meeting minutes, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Coughlin, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$43,912.66; OASI Benefit 3,359.30; Aflac, ins. premium 187.98; Dearborn National, life insurance 123.20; Delta Dental of South Dakota 390.36; VSP 191.40; The Health Pool of SD, health insurance premium 7,849.10; SDRS, retirement benefit 4,799.82; Mediacom, utilities 106.20; Visa, supplies, utilities, & utilities 1,125.72; Huron Postmaster, postage 483.00; De Smet Postmaster, variance mailing 48.30; Mogen's Heroes, June celebration 1,100.00; Groe, Inc., June celebration 1,250.00; AA Motorsports, LLC, repair & maint. 749.21; Ally Johnson, deposit refund 10.00; Anderson Lumber, supplies & repairs 210.40; Ann Buckmiller, deposit refund 50.00; Ashley Harty, museum spring cleaning 220.00; Avera Occupational Medicine, drug testing 85.00; Avid Hawk, LLC, monthly website fee 35.00; Book Systems, Inc., digital system 5,957.45; Butler Machinery Co., repair 1,196.21; Center Point Large Print, books 30.71; Chesterman Company, supplies 76.50; City of De Smet, petty cash supplies 25.99; DANR, drinking water fees 600.00; De Smet Development, monthly contribution 1,000.00; De Smet American Legion, supplies 70.00; De Smet Trustworthy Hardware, supplies & repairs 341.67; Dept. of Health, water labs 28.00; Emma Sudenga, deposit refund 10.00; Ferguson Waterworks, repair & maint. 944.31; Gene's Ag Service, repair & maint. 325.26; Great Plains Zoo, zoo mobile 354.00; Hawkins, Inc. water & pool chemicals 6,684.57; Heiman Fire Equipment, repair & maint. 1,035.00; Innovative Office Solutions, supplies 1,122.01; Isaac Farrens, deposit refund 10.00; Jenny Todd, reimbursement for supplies 89.53; Jesser's Greenhouse, supplies 1,662.80; Josh & Amy Halverson, meter deposit refund 75.00; Karen Hansen, reimburse for supplies 100.00; Kingsbury Electric Cooperative, repair & maint. 225.82; Kingsbury Electric Cooperative, repair & maint. 220.00; Kingsbury County Auditor, law enforcement contract 6,933.33; Kingsbury Journal, library publishing 21.00; Kristy Hubbard, reimbursement for supplies 24.47; Lance Lim, deposit refund, 250.00; Lonnie Kruger, deposit refund 30.00; Mary Purintun, reimburse for supplies 57.44; Maynard's De Smet, supplies 25.46; MC&R Pools, Inc. repair & maint. 151.99; Melody Perry, deposit refund 10.00; Micro Marketing, books 328.11; NAPA, supplies & repairs 30.47; Northwest Pipe Fittings, Inc. 204.88; NS

Inflatables, June celebration 1,650.00; O'Keefe Implement, Inc. supplies & repairs 2,725.23; Office Peeps, Inc. supplies 89.97; Office Peeps, Inc., supplies & copier contract 376.75; Palmlund Automotive, repair & maint. 606.90; Postmaster supplies 795.00; Russell & Mary Overbay, meter deposit refund 125.00; SD Assoc. of Rural Water Systems, repair & maint. 750.00; Share Corp, sewer chemicals & supplies 3,673.34; The Main Stop, fuel 1,357.69; Tricia Mc Cloud, deposit refund 30.00; Two Trees Technologies, off-site backup & software 171.92; Valley Fibercom, utilities 549.73; Warne's Appliance, air conditioner unit 509.00; World Insurance Associates, LLC, insurance 186.00; City of De Smet, utilities 2,141.35; Kingsbury Electric Cooperative, utilities 181.65; Northwestern, utilities 161.76; Helms & Associates, airport AWOS project 2,442.57; Helms & Associates, airport SRE project 2,775.90; IMEG, east side water project 19,200.00; IMEG, east side sewer project 2,800.00; IMEG, sewer lining & manholes project 4,000.00.

ZONING: Motion was made by Spader seconded by Cavanaugh, 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.

Variance Application #108 submitted by Lane Hildebrandt and was present to meet with the board to discuss the variance application. Hildebrandt has requested a variance to allow him to construct a 12' x 20' shed closer than twenty (20) feet from the rear (South) property line and closer than six (6) feet from the side (West) property line on the property in an area zoned "R-2" General Residential District on the following legally described property: E50' of Lot 5 & W70' of Lot 6, Block 3, Trail View Heights Addition, and addressed as 615 7th Street SW, 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. Also present was adjacent property owner Kyle Anderson. Anderson informed the council that he was not opposed to the variance application. There were no other adjacent landowners present to object.

A zoning officer previously reviewed the location of the proposed construction.

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 E 50' of Lot 5 & W 70' of Lot 6, Block 6, Trailview Heights 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 "R-2 General Residential".
3. That the adjacent properties within the city limits are zoned "R-2 General Residential"

4. That the adjacent property outside of city limits is zoned "Non-ag Commercial".
5. That Article IV Supplemental Regulations, Chapter 4.03 Accessory Buildings, states that permitted accessory buildings shall be subordinate to principal use.
6. That no accessory structure may be located in a front or side yard.
7. No separate accessory building shall be erected within five (5) feet of any other building and shall be built a minimum of nine (9) feet from a side yard, and a minimum of twenty (20) feet from a rear yard.
8. That if the structure occupies less than 1,105 sq. ft. of the rear yard, it can be placed closer than 20 feet to the rear property line.
9. That the proposed accessory shed would be constructed on the rear property and not on the front or side property.
10. That the proposed accessory shed would be constructed one foot from the west lot line (side yard) six feet from the south lot line (rear yard).
11. That the proposed accessory shed is occupying less than 1,105 sq. ft. and therefore would be permitted to be placed closer than twenty (20) feet from the rear property line.
12. That none of the adjoining property owners objected to the proposed variance.
13. That the Board of Adjustment takes into consideration each application on its own accord.
14. That ordinances have been approved and adopted to protect the De Smet residents and properties within the city limits.
15. That the reasons set forth in the application justify approving a variance.

Based upon these findings, motion was made by Coughlin, seconded by Cavanaugh, to recommend approval of variance application #108 submitted by Lane Hildebrandt, for a 12' x 20' accessory shed, all voting aye, motion carried.

This being the date and time public noticed for the hearing on a Conditional Use Permit Application #109 submitted by Killin' It, LLC dba The Locker. Terrill Koellner met with the board to discuss the conditional use application. Terrill has requested a conditional use permit to allow the operation of a meat processing business in an area zoned "I" Industrial District on the following legally described property: Lots 1, 2, and 3, Clock 3, Government Lot 1 Subdivision to the City of De Smet, Kingsbury County, South Dakota, and addressed as 701 4th Street 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 in opposition of the proposed conditional use permit application.

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 1, 2, and 3, Clock 3, Government Lot 1 Subdivision to the City of De Smet, Kingsbury County, South Dakota, and addressed as 701 4th Street SE, De Smet, 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 "I" Industrial District.
3. That adjacent properties are zoned "I" Industrial District to the East, West, and a portion of the South, and "AG" Agricultural District" to the North and a portion of the South.
4. That a conditional use permit has setbacks to be determined by the Board of Adjustment.
5. That a meat processing business is permitted by a conditional use permit within the Industrial District.
6. That the applicant has filed the required application for the conditional use permit and the notice of hearing was properly given.
7. That of the adjoining property owners presenting, nobody appeared in objection to the meat processing business.
8. That the meat processing/locker is compatible with adjacent properties and other property in the district.
9. That the meat processing/locker will have a front footage in line with the adjacent business to the west.
10. That granting the conditional use permit is in keeping with the City of De Smet's comprehensive land use plan.
11. That all requirements of the City of De Smet Zoning Ordinance will be met.

Based upon these findings, a motion was made by Cavanaugh, seconded by Jensen, to recommend approval of the conditional use permit application submitted by Killin' It dba The Locker, all voting aye, motion carried.

Motion was made by McCune, seconded by Coughlin, to reconvene as the City Council, all voting aye, motion carried. Mayor Wolkow declared the City Council back in session.

VARIANCE: Motion was made by Coughlin, seconded by McCune, to the variance application #108 submitted by Lane Hildebrandt, for a 12' x 20' accessory shed, all voting aye, motion carried.

CONDITIONAL USE PERMIT: Motion was made by Cavanaugh, seconded by Hansen, to approve the conditional use permit application #109 submitted by Killin' It dba The Locker, all voting aye, motion carried.

BUILDING PERMITS: Motion was made by Jensen, seconded by Coughlin, to approve the building permit applications submitted by Lane Hildebrandt - storage shed, Killin' It dba The Locker - commercial structure, Rainbows and Butterflies, Inc - asphalt parking lot, James Siver - fence, and to table Lu Ann Klinkels - fence, all voting aye, motion carried.

Alderman Bret Jensen brought before the council, needing more than a few days to get building permit applications reviewed before the council meeting.

BLOCK STREET: Motion was made by Cavanaugh, seconded by McCune, to approve amending the street blocked for the DCW bean bag tournament on June 8, 2024, from part of 3rd Street to Calumet Ave. in front of Klinkel's III, all voting aye, motion carried.

SPECIAL LIQUOR LICENSES: Two applications for special liquor licenses were submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held in front of Klinkels III on June 8, 2024, from 1:00 pm - 8:00 pm and for an event at the De Smet Fire Hall on June 29, 2024, from 1:00 pm to 6:00 pm. Motion was made by Spader, seconded by Cavanaugh, to approve the special liquor license applications submitted by Lu Ann Klinkel, owner of Klinkel's III, for an event to be held in front of Klinkels III on June 8, 2024, from 1:00 pm - 8:00 pm and and event at the De Smet Fire Hall on June 29, 2024 from 1:00 pm to 6:00 pm all voting aye, motion carried.

RENEWAL OF MALT BEVERAGE LICENSES: Motion was made by Cavanaugh, seconded by Coughlin, to re-issue on-off sale malt beverage with SD Farm Wine licenses as follows: Klinkel's III, Double Bogey's, and Field's Fish and Game, all voting aye, motion carried.

MALT BEVERAGE LICENSES: This being the date and time advertised and hearing no objection from the public, motion was made by Cavanaugh, seconded by Coughlin to issue an on-off sale malt beverage with SD Farm Wine license to De Smet super Deluxe & Suites, all voting aye, motion carried. The on/off-sale malt beverage with SD Farm Wine license application submitted by the Kingsbury County Country Club was withdrawn.

DE SMET COMMUNITY FOUNDATION: Board member Rita Anderson reported to the council that with the help of the Impact Organization fundraising, memorials, and donations, \$35,776.66 had been fundraised to date, not including the \$10,000.00 in the City budget, and the money raised from the rummage sale coming up. Anderson presented Mayor Wolkow with a check in the amount of \$35,776.66. Marilyn Skyberg commended the city for their work and support. Mayor Wolkow thanked Anderson and Skyberg for their hard work on this project.

DE SMET ARTS COUNCIL: Rita Anderson, member of the De Smet Arts Council, met with the council to ask them to consider removing the rental fee for the Meyer Room and Event Hall snack area for the concert series rentals. The organization pays a reduced rent for the theater and contributes funding back to the Event Center. The approximate reduction would amount to \$175.00 per year. Motion was made by Cavanaugh, to approve amending the rental agreement, motion died due to lack of second. Motion was made by Spader, seconded by Jensen, to table the rental amendment, all voting aye, motion carried.

PUBLIC COMMENTS: None.

PUBLIC HEARING FOR SECOND STREET CURB & GUTTER AND SIDEWALK

ASSESSMENTS: Notice of the public hearing was properly given by certified mail and by publication of the publication of the Notice of Hearing.

This being the date and time public noticed, Mayor Wolkow declared the public hearing for the Second Street Curb & Gutter and Sidewalk assessments open.

City Attorney, Todd Wilkinson, explained the special assessment fee was based on the property footage and the contractor's bid price and explained that the special assessments would be assessed over a seven-year time period at a fixed interest rate of 7%. Each property to be assessed and represented at the hearing will have the opportunity to ask questions or discuss the assessment fees to their property. Attorney Wilkinson also explained that the assessment fee for the curb and gutter and assessment fee for the sidewalks would be filed with the County Auditor on September 1, 2024. Property owners that wish to pay the special assessment fees in full prior to September 1, 2024, would not incur any interest fees. The council asked for any questions or comments at this time.

With no questions from the public, motion was made by McCune, seconded by Cavanaugh, to approve Resolution No. 2024-2, approving the special assessment roll for the curb and gutter and driveway improvements for the 2nd Street improvement project, all voting aye, motion carried.

RESOLUTION NO. 2024-2

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CURB AND GUTTER AND DRIVEWAY IMPROVEMENTS AS IT PERTAINS TO 2ND STREET CONTAINING THE FOLLOWING LEGAL DESCRIPTIONS: LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 9; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18 AND THE NORTHWESTERLY PART OF LOT 19, BLOCK 10; AND THE EAST HALF OF LOT 8 AND ALL OF LOT 9, BLOCK 11, ALL IN BROWN'S ADDITION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; THE SOUTH 100 FEET OF LOTS 8 AND 9, LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, IN BLOCK 1 AND THE NORTH 84 FEET OF LOTS 1 AND 2, LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13 IN BLOCK 2 BROWN'S SUBDIVISION OF BLOCKS 1 AND 2 OF CARROLL'S ADDITION; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 3; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 4; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 5; THE NORTH HALF OF LOTS 1 AND 2, LOTS 3, 4, 5, 6 AND 7 IN BLOCK 6; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 7; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 8; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 9, LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 10, ALL IN CARROLL'S ADDITION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; AND LOTS 4, 5 & 6 OF OUTLOT "J" AND OUTLOT "K" ALL IN A.H. DAVIDSON'S SUBDIVISION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; ALL LOCATED IN THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA.

BE IT RESOLVED BY THE CITY OF DE SMET, SOUTH DAKOTA:

SECTION 1. That the special assessment roll for the assessment of the property assessable for curb and gutter and driveway improvements on 2nd Street containing the following legal descriptions: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, Block 9; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18 and the Northwesterly Part of Lot 19, Block 10; and the East Half of Lot 8 and all of Lot 9, Block 11, all in Brown's Addition to the City of De Smet, Kingsbury County, South Dakota; The South 100 feet of Lots 8 and 9, Lots 10, 11, 12, 13,

14, 15, 16, 17, 18, 19, 20, 21, in Block 1 and the North 84 feet of Lots 1 and 2, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Block 2 Brown's Subdivision of Blocks 1 and 2 of Carroll's Addition; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 3; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 4; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 5; the North Half of Lots 1 and 2, Lots 3, 4, 5, 6 and 7 in Block 6; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 7; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 8; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 9, Lots 1, 2, 3, 4, 5, 6 and 7 in Block 10, all in Carroll's Addition to the City of De Smet, Kingsbury County, South Dakota; and Lots 4, 5 & 6 of Outlot "J" and Outlot "K" all in A.H. Davidson's Subdivision to the City of De Smet, Kingsbury County, South Dakota; all located in the City of De Smet, Kingsbury County, South Dakota be and the same is hereby approved and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in seven annual installments and shall be collected under Plan One – Collection by County Treasurer as provided in SDCL 9-43-102.

Date Adopted: June 5, 2024

CITY OF DE SMET

By: _____
It's: Mayor

ATTEST:

City Finance Officer

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the Office of the County Treasurer in five installments, together with interest at 7 percent per annum in accordance with SDCL 9-43-102. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on the 1st

day of January, 2025; the remaining installments, with interest, will become due and payable on an annual basis at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Officer's Office on the 15th day of April, 2024 and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Finance Office on or before the 1st day of September, 2024.

City Finance Officer

Motion was made by Jensen, seconded by Hansen, to approve Resolution No. 2024-3, approving the special assessment roll for the sidewalk improvements for the 2nd Street improvement project, all voting aye, motion carried.

RESOLUTION NO. 2024-3

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SIDEWALK IMPROVEMENTS AS IT PERTAINS TO 2ND STREET CONTAINING THE FOLLOWING LEGAL DESCRIPTIONS: LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 9; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18 AND THE NORTHWESTERLY PART OF LOT 19, BLOCK 10; AND THE EAST HALF OF LOT 8 AND ALL OF LOT 9, BLOCK 11, ALL IN BROWN'S ADDITION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; THE SOUTH 100 FEET OF LOTS 8 AND 9, LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, IN BLOCK 1 AND THE NORTH 84 FEET OF LOTS 1 AND 2, LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13 IN BLOCK 2 BROWN'S SUBDIVISION OF BLOCKS 1 AND 2 OF CARROLL'S ADDITION; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 3; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 4; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 5; THE NORTH HALF OF LOTS 1 AND 2, LOTS 3, 4, 5, 6 AND 7 IN BLOCK 6; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 7; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 8; LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 9, LOTS 1, 2, 3, 4, 5, 6 AND 7 IN BLOCK 10, ALL IN CARROLL'S ADDITION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; AND LOTS 4, 5 & 6 OF OUTLOT "J" AND OUTLOT "K" ALL IN A.H. DAVIDSON'S SUBDIVISION TO THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA; ALL LOCATED IN THE CITY OF DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA.

BE IT RESOLVED BY THE CITY OF DE SMET, SOUTH DAKOTA:

SECTION 1. That the special assessment roll for the assessment of the property assessable for sidewalk improvements on 2nd Street containing the following legal descriptions: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, Block 9; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, 18 and the Northwesterly Part of Lot 19, Block 10; and the East Half of Lot 8 and all of Lot 9, Block 11, all in Brown's Addition to the City of De Smet, Kingsbury County, South Dakota; The South 100 feet of Lots 8 and 9, Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, in Block 1 and the North 84 feet of Lots 1 and 2, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Block 2 Brown's Subdivision of Blocks 1 and 2 of Carroll's Addition; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 3; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 4; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 5; the North Half of Lots 1 and 2, Lots 3, 4, 5, 6 and 7 in Block 6; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 7; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 8; Lots 1, 2, 3, 4, 5, 6 and 7 in Block 9, Lots 1, 2, 3, 4, 5, 6 and 7 in Block 10, all in Carroll's Addition to the City of De Smet, Kingsbury County, South Dakota; and Lots 4, 5 & 6 of Outlot "J" and Outlot "K" all in A.H. Davidson's Subdivision to the City of De Smet, Kingsbury County, South Dakota; all located in the City of De Smet, Kingsbury County, South Dakota be and the same is hereby approved and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. Said assessment may be paid in seven annual installments and shall be collected under Plan One – Collection by County Treasurer as provided in SDCL 9-43-102.

Date Adopted: June 5, 2024

CITY OF DE SMET

By: _____
It's: Mayor

ATTEST:

City Finance Officer

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the Office of the County Treasurer in five installments, together with interest at 7 percent per annum in accordance with SDCL 9-43-102. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on the 1st day of January, 2025; the remaining installments, with interest, will become due and payable on an annual basis at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Officer's Office on the 15th day of April, 2024 and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Finance Office on or before the 1st day of September, 2024.

City Finance Officer

Mayor Wolkow declared the public hearing closed.

JIM SIVER: Siver met with the council to object to the bill he was sent to connect two sewer lines on Brewster Street when the sewer main was installed. Documentation showing Siver requested the two sewer services and the engineer's cost per service fee for billing was presented to the council. Siver also commented about the calcium chloride applied to the streets in 2023.

INFRASTRUCTURE & MAIN STREET PROJECTS: Shane Waterman, Engineer for IMEG, met with the council to discuss the infrastructure and Main Street project updates. A Chase and 2nd Street Project preconstruction meeting was held today and there will be another pre-construction meeting with the utility companies impacted by the project. Construction will start at the end of June 2024. 2nd Street will be closed from Hwy 25 to Prairie Ave. with the North and South street intersections open. Mailboxes still need to be determined. Questions from the public in regard to the 2nd Street and Chase Street project

were answered by the engineer. Engineer Waterman stated that he was still waiting for DANR comments for the Main Street project.

Motion was made by Jensen, seconded by Hansen, to approve closing 2nd Street from Hwy 25 to Prairie Avenue starting on June 24, 2024, until the completion of the infrastructure project, all voting aye, motion carried.

Motion was made by Cavanaugh, seconded by Coughlin, to approve the proposal for construction testing and inspection services with Foerster Testing in the amount of \$17,550.00, all voting aye, motion carried.

EXECUTIVE SESSION: At 6:21 pm, a motion was made by Hansen, seconded by Spader, to go into executive session to discuss personnel, contract, and consult with the attorney, all voting aye, motion carried. Mayor Wolkow declared the council out of executive session at 7:24 pm.

SEASONAL HELP: Motion was made by Cavanaugh, seconded by Jensen, to approve paying Noah Roth for training of pool employees in the amount of \$1,500.00 for the 2024 season, all voting aye, motion carried.

SCHOOL LEASE AGREEMENT: Motion was made by Cavanaugh, seconded by McCune, to approve signing the lease agreement for usage of the Event Center with the De Smet School District with the change from a two-year contract to a one-year contract and no other changes, all voting aye, motion carried.

2022 AUDIT: An engagement letter to audit 2022 from ELO CPA's & Advisors in the amount of \$21,500.00 was presented to the council. Motion was made by Cavanaugh, seconded by Coughlin, to approve signing the engagement letter with ELO CPA's & Advisors in the amount of \$21,500.00 for the 2022 audit, five voting aye, one voting nay, motion carried.

STREETS: Street Supt. Ryan Peterson presented a diagram of Ingalls Avenue where milling and overlay will be done in 2024. A concrete valley gutter has also been quoted in areas along the repair. Two of the adjacent property owners will also be doing asphalt work at the same time. Supt. Peterson inquired if the City would pay for half of the valley drain between the private property and the street, and to add a valley gutter from The Village gutter to the Elementary School gutter to join it all together to prevent washing out at the alley. Motion was made by Cavanaugh, seconded by Coughlin, to approve the City adding the concrete valley gutter at the east end of the alley connecting the drainage from The Village and the Elementary School, and to pay for half of the concrete gutter in two areas on Ingalls Ave. in the amount of \$7,125.00, all voting aye. Supt. Petersen also informed the council that he had been contacted by the school in regard to moving a streetlight at their expense due to their construction projects. Assistant Casey Harty presented the council with two estimates to rebuild the transmission in the 2007 Ford F150 pickup.

EVENT CENTER: Event Center Director, Kristy Hubbard, met with the council to discuss unattended children throwing rocks during baseball games, and people parking vehicles in the camping spots.

PROJECT PAYMENTS: Motion was made by Cavanaugh, seconded by Coughlin, to approve pay requests: Helm's & Associates, pay request 4, Airport SRE project \$2,775.90; Helm's & Associates, pay request 10, Airport AWOS III project \$2,442.57; IMEG, East side water project pay request 22006269.00-5 \$19,200.00; IMEG, East side sewer pay request 22006269.01-5 \$2,800.00; IMEG, sewer lining & manholes pay request 22006270.00-4 \$4,000.00 all voting aye, motion carried. Airport projects are funded 95% by federal and state grant funds.

CONFERENCES: Motion was made by Spader, seconded by McCune, to approve Casey Harty attending the RUS Training for Operators on June 18, 2024, all voting aye, motion carried.

DE SMET DEVELOPMENT CORPORATION: Development Coordinator, Jamie Lancaster, thanked city representatives for attending the semi-annual community meeting on June 4, 2024; thanked for help on the new business coming to De Smet; the De Smet Community Guides have been distributed; presented the May 2024 state economic statistics.

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

FINANCIAL REPORT: Motion was made by Jensen, seconded by McCune, to approve the April 2024 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) the May law enforcement report; 2) more patrolling on 1st Street; and 3) property cleanup reviews.

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 May 23, 2024, Water & Wastewater Supt., Jason Springer 27.59/hour, and effective June 1, 2024, Deputy Finance Officer, Karen Hansen \$21.30/hour.

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ _____