

REGULAR MEETING DE SMET COMMON COUNCIL
November 13, 2024

The De Smet Common Council met in regular session on November 13, 2024, at 5:00 p.m., with the following present: Council members, George Cavanaugh, Bret Jensen, Dustin McCune, Dane Coughlin (via speaker phone later in the meeting), 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.

ANNOUNCEMENTS: Mayor Wolkow thanked Head Librarian Mary Purintun for her outstanding 26 ½ years of service to the City of De Smet. A retirement gift was presented to Purintun.

MINUTES: Motion was made by Cavanaugh, seconded by McCune, to approve the minutes of October 9, 2024, Regular Meeting, all voting aye, motion carried.

CLAIMS: Motion was made by Cavanaugh, seconded by Jensen, to approve paying the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$41,999.77; OASI Benefit 3,213.00; 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 4,703.58; Mediacom, utilities 111.20; Steven Ust, repair & maintenance 500.00; KSFY, advertising 370.00; Visa, supplies, utilities & fuel 568.92; KSFY.com, advertising 1,200.00; ODLT, advertising 120.00; OSFY, advertising 25.00; KDLT, advertising 235.00; Alex Wolkow, deposit refund 355.00; Anderson Lumber, supplies 230.13; Asphalt Paving & Materials, repairs & maintenance 45,145.88; Avid Hawk LLC, supplies 35.00; Butler Machinery Co., repairs & maintenance 2,108.10; Center Point Large Print, supplies 31.46; City of De Smet, utilities 110.00; City of De Smet, utilities 862.52; City of De Smet, supplies 23.94; Complete Automotive LLC, repairs & maintenance 152.00; Twotrees Technologies, supplies, repairs & maintenance, software 266.92; Cook's Wastepaper & Recycling, utilities 286.06; Cook's Wastepaper & Recycling, repairs & maintenance 7,349.91; Core & Main LP, repairs & maintenance 6,634.94; Cowboy Country Store, fuel 483.99; CR Corner, LLC, diesel & fuel 418.63; Dakota Pump, repairs & maintenance 1,250.00; Dawn Whitten, deposit refund 30.00; De Smet Development Corp., contributions 1,000.00; De Smet Trustworthy, supplies 46.13; Department of Health, water labs 377.00; ELP Prof. LLC, audit 10,750.00; Event Center, petty cash 50.00; Exhaust Pros, repairs & maintenance 173.04; FAA, flight inspection 5,394.60; Ferguson Technologies, Inc., repairs & maintenance 93.52; Ferguson Waterworks, repairs & maintenance 1,387.50; Genesee & Wyoming Railroad Service, rental 121.55; Hawkins, Inc., chemicals 20.00; Heidi Madsen, deposit refund 30.00; Innovative Office Solutions, supplies 847.98; Jessica Buer, water meter deposit refund 150.00; Kathy DeDeyne, deposit refund 355.00; Kingsbury Electric Cooperative, repairs 220.00; Kingsbury County Auditor, law enforcement 6,933.33; Kingsbury Electric Cooperative, utilities 182.17; Kingsbury Journal, library publishing

14.60; Klinton Weets, meter deposit refund 40.00; Kristy Hubbard, supplies 21.11; Lauren Hall, deposit refund 50.00; Mack Landscaping, LLC, repairs & maintenance 375.00; Mack Landscaping, LLC, library repairs & maintenance 75.00; Maynards, supplies 50.30; Maynards, library supplies 118.92; Micro Marketing LLC, supplies 267.77; Mid America books, 270.45; Napa, supplies, repairs & maintenance, 749.55; Northwest Pipe Fittings, Inc., repairs & maintenance 1,100.14; Northwestern, utilities 120.28; O'Keefe Implement, Inc., repairs & maintenance 317.71; Office Peeps, Inc., library supplies & equipment 1,220.11; Office Peeps, supplies 520.39; Olson's Pest Technicians, repairs & maintenance 75.00; Ottertail Power Company, utilities 4,169.95; Penworthy, supplies 322.99; Pheasantland, supplies 161.46; Pifer's Auction, deposit refund 50.00; Prevention, supplies 48.00; Rod's Repair, repairs & maintenance 382.65; Runnings, supplies, machinery & equipment 555.95; Safety benefits, Inc., conference 75.00; SD Dept. of Revenue, sales tax 269.81; SD Dept. of Revenue, sanitation sales tax 500.34; Share Corp., chemicals 3,337.70; Socially Untapped, marketing 200.00; Tracey Larson, mileage 44.22; Traci Schoenfelder, deposit refund 50.00; Valley Fibercom, utilities 496.67; Watertown Event Center, registration 150.00; Zell Manufacturing, repairs & maintenance 396.00; Flatland Enterprise, LLC, 2nd & Chase Street infrastructure project 409,391.84, CMI, repairs & maintenance 91.66.

SECOND READING TO AMEND ZONING ORDINANCE No. XX: Motion was made by Cavanaugh, seconded by McCune, to approve the second reading to amend Zoning Ordinance XX, to add 3. Caretaker/watchman's living quarters to Section 2.09.04 Conditional Uses [Chapter 2.09 C-2 Commercial Industrial District] adopted by Ordinance Number XX, all voting aye, motion carried.

Ordinance XX-2

ORDINANCE NUMBER XX-2 AN ORDINANCE AMENDING ORDINANCE NUMBER XX, AN ORDINANCE AMENDING ORDINANCE VII-08 AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND THE OFFICIAL ZONING MAP FOR THE CITY OF DE SMET

Notice is hereby given that Ordinance No. XX-2, an ordinance amending Ordinance XX, and ordinance amending Ordinance VII-08 and ordinance establishing zoning regulations and the Official Zoning Map for the City of De Smet, South Dakota, as amended was duly adopted by the City Council on the 13th day of November 2024, and will become effective on the 10th day of December 2024.

Ordinance XX-2

AN ORDINANCE ENTITLED, An Ordinance Amending Ordinance Number XX, an Ordinance Amending Ordinance VII-08 an Ordinance Establishing Zoning Regulations and the Official Zoning Map for the City of De Smet.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE SMET, SOUTH DAKOTA: that Section 2.09.04 Conditional Uses [Chapter 2.09 C-2 Commercial Industrial District] adopted by Ordinance Number XX, an Ordinance Amending Ordinance VII-08 an Ordinance Establishing Zoning Regulations and the Official Zoning Map for the City of De Smet, as amended, be amended by adding the following use as a Conditional Use in the "C-2" Commercial Industrial District:

3. Caretaker/watchman's quarters

Passed and adopted this 13th day of November 2024.

Gary Wolkow, Mayor

Tracey Larson, Finance Officer

First Reading: October 9, 2024

Second Reading: November 13, 2024

Published: November 20, 2024 (Notice of Adoption) & November 27, 2024

Effective: December 10, 2024

SPECIAL LIQUOR LICENSES: Five applications for a special liquor license were submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Event Center on November 17, 2024, from 8:00 am - 2:00 pm; and for and events to be held at the De Smet Legion Hall on December 7, 2024 from 5:00 pm to 12:00 am, December 16, 2024 from 5:00 pm to 11:00 pm, January 1, 2025 from 12:00 pm to 9:00 pm, and January 7, 2025 from 5:00 pm to 12:00 am. Motion was made by McCune, seconded by Cavanaugh, to approve the five special liquor license applications submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Event Center on November 17, 2024, from 8:00 am - 2:00 pm; and for events to be held at the De Smet Legion Hall on December 7, 2024 from 5:00 pm to 12:00 am, December 16, 2024 from 5:00 pm to 11:00 pm, January 1, 2025 from 12:00 pm to 9:00 pm, and January 7, 2025 from 5:00 pm to 12:00 am, all voting aye, motion carried.

2025 LIQUOR & WINE LICENSE & OPERATING AGREEMENT RENEWALS: This being the date and time advertised motion was made by Cavanaugh, seconded by Jensen, to reissue liquor licenses to the Main Stop (off-sale), Half Pint, LLC (on-sale), Klinkels III (on-sale), Wheaties (on-sale), Kingsbury County Country Club (on-sale), Oxbow Restaurant (on-sale wine & cider), Dollar General (on/off-sale wine & cider), and Maynard's (off-sale liquor and on/off-sale wine & cider) for the year

2025 and three-year operating agreements, all voting aye, motion carried.

LAND DEED: A donation of land has been made to the De Smet Community Foundation for the connection of the Hwy 14 Trail project. The land would be a 10' x 25' piece of land that will connect from the existing kiosk area to City property located to the east and will connect between the two properties for the Hwy 14 trail project. Motion was made by Jensen, seconded by Spader, to accept the land deed from the De Smet Community Foundation for the 10' x 25' piece of land, all voting aye, motion carried.

RITA ANDERSON & NANCY MONTROSS: Rita Anderson & Nancy Montross, representing the Highway 14 Trails Committee, met with the council to update that the Recreation Economy for Rural Communities 2024 Application for funding has been submitted. The Council thanked Nancy Montross for the memorial contribution made in memory of Bob Montross to install a fence, and everyone on the committee for their work and efforts.

MAIN STREET COMMITTEE: Ann Lesch, representing the Main Street Committee, met with the council to inform the council that they are working with ISG and focusing on the electrical needs for feature items. Lesch will have visual plans for the next meeting to discuss placement. Engineer, Shane Waterman, from IMEG, added that SD DANR and SD DOT have been contacted about adding the Main Street Committee feature items to the City Main Street Project. Waterman reminded the Council and Main Street Committee that anything attached to the Main Street Project will be required to follow the Davis Bacon wage and the Buy America requirements due to funding rules and regulations. SD DANR had not replied yet.

INFRASTRUCTURE, MAIN STREET & WATER TOWER PROJECTS: Shane Waterman and Karen Schaefer, Engineers for IMEG, met with the council to discuss the infrastructure projects, water tower, and Main Street project updates. Engineer Waterman reported that Main Street plans have been sent to the SD DOT for the community access grant. There are four locations on Main Street that are waiting for answers regarding handicap accessibility. The Main Street project will be advertised for bids, and the bids will be opened on December 5, 2024. Waterman, Schaefer, and three city staff walked the 2nd Street and Chase Street project area and will make a list of items that need to be completed before winter. The Council strongly expressed concerns and comments from residents about the lack of construction progress and the need to have both project streets open for the winter. The council expressed concern about how the lack of construction progress will affect businesses if this happens on the Main Street project. The engineers will be in contact with the council's concerns again. Waterman reported that the bid documents for the water tower project have been submitted to SD DNR.

PUBLIC COMMENTS: Wade Hoefert stated that he felt there should have been winter progress deadlines built into the project. Hoefert also stated that he had not seen any truck activity in the last week.

EXECUTIVE SESSION: At 5:59 pm, motion was made by Spader, seconded by McCune, to go into executive session to consult with the city attorney, all voting aye motion carried. Mayor Wolkow declared the council out of executive session at 6:55 pm. Council member Coughlin joined via speaker phone during executive session.

MAIN STREET PROJECT: Motion was made by Cavanaugh, seconded by Jensen, to approve advertising for the Main Street Infrastructure Project, all voting aye, motion carried.

SECOND & CHASE STREET CHANGE ORDER #2: A change order in the amount of \$90,674.43 was presented to the council. The change order is for: additional signage, excavation, tree removal, base course, some additional valves and curb stops added by the City, and a decrease for dewatering. Motion was made by Jensen, seconded by Cavanaugh, to approve Change order #2 in the amount of \$90,674.43 to Flatland, all voting aye, motion carried.

LAW ENFORCEMENT CONTRACT: A one-year contract with Kingsbury County for law enforcement coverage that includes 50 hours per week of coverage and an hourly rate of \$32.00 per hour, and more definition of services provided was forwarded to the council. Motion was made by Cavanaugh, seconded by McCune, to renew the contract with Kingsbury County for law enforcement coverage for 50 hours per week at a cost of \$32.00 per hour, for a period of one year, all voting aye, motion carried.

HEALTH INSURANCE RENEWAL: The City of De Smet received notice that the current health insurance plan that the City has will no longer be available. Options with different deductibles and premium rates were presented to the council. The plan HP1000 would be an increase of 3% over the current policy. Motion was made by Cavanaugh, seconded by Hansen, to renew the Plan HP1000 insurance policy for the full-time city employees, to be effective January 1, 2025, all voting aye, motion carried.

CLINIC BUILDING REPAIRS: It was reported to the City that there have been issues with the heating and cooling systems at the clinic building. An estimate to fix the whole system or various parts of the system were received and presented to the council. Motion was made by Spader, seconded by Cavanaugh, to approve hiring Krammer Mechanical to fix the whole heating and cooling system at the clinic building in the amount of \$36,864.00, all voting aye, motion carried.

STREETS, AIRPORT & RUS: Street Supt., Ryan Petersen, reported to the council that the company crushing the concrete at the RUS is here and will be finished this week. The city crew has been trimming trees, sweeping streets, and getting equipment ready for winter.

SURPLUS PROPERTY: Motion was made by Cavanaugh, seconded by McCune, to accept the appraisal presented in the amount of \$750.00 for the 2008 Ford F150 with approximately 124,884 miles and to advertise it for sale, all voting aye, motion carried.

PROJECT PAYMENTS: Motion was made by Cavanaugh, seconded by McCune, to approve pay request #4 Flatland Enterprise, LLC 2nd Street & Chase Street project with change order #2 included \$409,391.84 (Water - \$161,330.24, Sewer \$120,942.34, City \$127,119.26) and to table payment of pay requests from IMEG, all voting aye, motion carried.

FINANCIAL REPORT: Motion was made by Cavanaugh, seconded by Spader, to approve the October 2024 Cash Balances Report as presented by the Finance Officer, and to move \$300,000 from the Hospital MMDA into a 12 month CD, and another \$200,000 from the Hospital MMDA into a 7 month CD, all voting aye, motion carried.

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

OTHER: Other non-action items of discussion were as follows: 1) the October law enforcement report; and 2) nuisance properties.

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 \$ _____