

REGULAR MEETING DE SMET COMMON COUNCIL
May 8, 2024

The De Smet Common Council met in regular session on May 8, 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.

ANNOUNCEMENTS: Mayor Wolkow read a letter of congratulations from SD DANR for the City of De Smet meeting the requirements of the Safe Drinking Water Act and the regulations for supply safe drinking water to the public.

MINUTES: Motion was made by Cavanaugh, seconded by McCune, to approve the minutes of the April 10, 2024, Regular Meeting minutes and the April 30, 2024, Special 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 \$39,865.53; OASI Benefit 3,049.73; 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 9,106.18; Visa, utilities, supplies, fuel 712.03; Kingsbury County Sheriff, fingerprinting 150.00; Kingsbury County Treasurer, register & license trailer 26.70; AA Motorsports, LLC, repair & maint. 114.98; Amy Scofield, deposit refund 50.00; Anderson Lumber, repairs & supplies 328.24; Avera Occupational Medicine, drug testing 425.00; Avid Hawk, LLC, monthly website fee 35.00; Brian's Glass & Door, LLC, hospital door improvement 15137.50; BSN Sports, LLC basketball hoop replacement 2,460.00; Center Point Large Print, books 30.71; City of De Smet, utilities 815.01; City of De Smet, (petty cash) supplies 116.47; Collaborative Summer Library, supplies 196.62; Connecting Point, off-site back & software 79.42; Cook's Wastepaper & Recycling, garbage collection 286.06; Cook's Wastepaper & Recycling, residential garbage collection 7,127.36; Cowboy Country Store, fuel 604.38; CR Corner, fuel 979.16; Dave's Window Cleaning, Inc., 400.00; De Smet Development Corporation, monthly contribution 1,000.00; De Smet Trustworthy Hardware, supplies & repairs 36.96; Dept. of Health, water labs 43.00; Environmental Equipment & Service, repair & maint. 789.72; Eternal Security Products, LLC 61.22; Ferguson Waterworks, repairs 341.36; Glacial Lakes and Prairies Tourism, marketing 425.00; Hawkins, Inc., chemicals 3,375.00; Innovative Office Solutions, supplies 417.98; Karen Hansen, reimbursement for supplies 19.75; Karley Fischer, deposit refund 50.00; Kingsbury Electric, repairs 319.98; Kingsbury Electric, service contract 220.00; Kingsbury Auditor, law enforcement contract 6,933.33; Kingsbury Electric, utilities 268.70; Kingsbury Journal, publishing 816.88; Kingsbury Journal, library publishing 42.00; Lance Thorson, deposit refund 30.00; Markel

Specialty Commercial, recreation insurance 350.00; Maynard's De Smet, supplies 105.65; Micro Marketing, LLC, books 290.46; NAPA, supplies & repairs 643.17; Northwestern, utilities 522.02; O'Keefe Implement, Inc., repairs & maint. 1,342.67; Office Peeps, library supplies 54.65; Office Peeps, supplies 481.58; Ottertail Power company, utilities 5,404.82; De Smet Pool, start petty cash 150.00; Postmaster, supplies 795.00; Roberta Elkins, deposit refund 10.00; SD Div. of Criminal Inv., background checks 216.25; SD Dept. of Revenue, garbage sales tax 486.99; Share Corp, supplies & chemicals 3,469.51; Southeast South Dakota Tourism, marketing 250.00; Teresa Vincent, deposit refund 30.00; The Lodge at Deadwood, lodging 182.00; Valley Fibercom, utilities 489.37; Helms & Associates, airport project 360.00; IMEG, water project 16,500.00; IMEG, sewer project 6,000.00; IMEG, main street project 7,000.00; IMEG, water project 4,000.00; IMEG, sewer project 2,000.00; IMEG, water project 26,769.00; IMEG, sewer project 2,800.00; and IMEG, sewer project 4,000.00.

ZONING: Motion was made by Jensen, seconded by Spader, 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. The City has received confirmation that the most impacted adjacent property owner did not receive their certified letter. The adjacent property is currently for sale, and closing of the sale has not occurred. The pending property owner was present and did express concern that he is not comfortable addressing the variance request until the survey is completed and closing on the property is final. Motion was made by Spader, seconded by Jensen, to table the variance application #108 submitted by Lane Hildebrandt, all voting aye, motion carried.

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

SCHOOL PARKING PROJECT: De Smet School District representatives Shane Roth, School Board President, and Abi Van Regenmorter, Superintendent and Elementary Principal, met with the council to discuss the parking lot project to the North of the new elementary addition and the north parking lot with four additional parking spaces in the east boulevard. Also discussed with the project additions, was snow removal in these

areas, a small section of no parking on the north side of the street, and student drop off area. Motion was made by Cavanaugh, seconded by Coughlin, to approve the two building permits submitted by the De Smet School District, for two concrete parking areas and lot, and to approve making the north side of 3rd Street from the corner of Ingalls and 3rd Street to the west approximately 100' as no parking, all voting aye, motion carried.

BUILDING PERMITS: Motion was made by McCune, seconded by Jensen, to approve the building permit application submitted by Daniel Piehl - fence, Scott Steffensen - addition to residence, and City of De Smet - concrete basketball court, all voting aye, motion carried.

CAPITAL IMPROVEMENT PLAN: Dane Ekdorn, Engineer for ISG, presented the council with a final draft of the De Smet 5-year CIP. Motion was made by Cavanaugh, seconded by McCune, to adopt the De Smet 5-year CIP, all voting aye, motion carried.

SPECIAL LIQUOR LICENSES: An application for a special liquor license was submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Legion Hall on June 22, 2024, from 5:00 pm - 11:00 pm. Motion was made by Spader, seconded by Coughlin, to approve the special liquor license application submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Legion Hall on June 22, 2024, from 5:00 pm - 11:00 pm, all voting aye, motion carried.

PUBLIC COMMENTS: None.

COUNCIL REORGANIZATION: Motion was made by Hansen, seconded by Spader, to adjourn as the old council, all voting aye, motion carried. Motion was made by Jensen, seconded by Coughlin, to reconvene as the new council. The Oath of Office was administered by City Attorney Todd Wilkinson to Lowell Hansen - Alderman Ward I, Pam Spader - Alderman II, George Cavanaugh - Alderman Ward III, and Dane Coughlin - Alderman Ward III.

The May meeting being the reorganization meeting for the Council, motion was made by Jensen, to nominate Lowell Hansen for the position of Council President, motion was seconded by Spader, all voting aye, motion carried.

Motion was made by Hansen to nominate George Cavanaugh for the position of Council Vice-President, seconded by Spader, all voting aye, motion carried.

APPOINTED OFFICIALS & OFFICIAL DEPOSITORIES/NEWSPAPER: Nominations were made by Mayor Wolkow to appoint Tracey Larson as Finance Officer, and Todd Wilkinson as City Attorney, Motion by Cavanaugh, seconded by Hansen, that the appointive offices for the year 2024-2025 shall be filled as follows: Tracey Larson reappointed as Finance Officer, and Todd Wilkinson reappointed as City Attorney, all voted aye, motion carried. Motion was made by Cavanaugh, seconded by McCune, to designate the American Bank & Trust and Dakotaland Federal Credit Union as the official depositories, and The Kingsbury Journal as the official newspaper, all voting aye, motion carried.

COMMITTEES/APPOINTMENTS/VOLUNTEERS: The Mayor presented the Alderman Committee appointments as follows: Streets & Alleys: Bret Jensen, George Cavanaugh, Dustin McCune; Water & Sewer: Dane Coughlin, Lowell

Hansen; Parks/City Buildings/Museum/Library: George Cavanaugh, Dustin McCune, Pam Spader; Law Enforcement Board: Gary Wolkow, Lowell Hansen; Fire Department: Lowell Hansen, Gary Wolkow, Dane Coughlin; Hospital: George Cavanaugh, Gary Wolkow, Pam Spader; Budget & Finance: Bret Jensen, George Cavanaugh, Pam Spader; Garbage & Restricted Use Site: Bret Jensen, Lowell Hansen, Dustin McCune; Airport: Lowell Hansen, Dustin McCune, Dane Coughlin; Zoning Officers: Dustin McCune, Gary Wolkow, Bret Jensen, Dane Coughlin; Zoning Board: Bret Jensen, Dane Coughlin, George Cavanaugh, Dustin McCune, Lowell Hansen, Gary Wolkow, Pam Spader; Safety Committee: George Cavanaugh, Bret Jensen, Pam Spader; Tree Board: Lowell Hansen, Jason Springer. Motion was made by Spader, seconded by Cavanaugh, to approve the council committees as presented, all voting aye, motion carried. Motion was made by Spader, seconded by Cavanaugh, to approve appointment of Roxene Helms and Evely Twite to the Library Board; approve the appointment of Lynn Kruse to the De Smet Housing & Redevelopment Board; approve appointment of Breda Kruse, Helen Janish, Cheryl Noem, Carmen Dannenbring, and Candy Weller to the Museum Board and following individuals as Museum volunteers: Gale Anderson, Billie Baird, Dee Baker, Jeanie Colwell, Kathy Connell, Carmen Dannenbring, Amy Gruntmier, Deb Hafey, Barb Hansen, Jeff Hed, Roxene Helms, Sharry Knock, Kathy Ostrander, Suzanne Roeder, Sheila Smith, Mavis Stoel, LeAnn Stofferson, Will Ward, and Candy Weller; and the following individuals as Event Center volunteers: Dee Baker, Janice Doll, Merle Klinkel, Mike Frey, Lynn Beck, Judy Wolkow, Melissa Churchill, Skye Thompson, Gordy Skyberg, Bernie Stoel, Mavis Stoel, Greg Skyberg, Arlys Skyberg, Glenda Haines, Joleen Schultz, Connie Kruse, and Bonnie Menzel, the following individuals as Fire Department volunteers: Monte Albrecht, Jake Anderson, Kyle Anderson, Mykel Anderson, Mark Birkel, Rob Cleveland, Preston Collier, Dane Coughlin, Matt Currier, Curt Eichacker, Ryan Griffith, Nick Henrich, Lane Hildebrandt, Mark Hojer, Matthew Hojer, Austin Janssen, Austin May, Dustin Mc Cune, James Millman, Cole Munger, Tate Munger, Jim Pommer, Derek Sprang, Jason Springer, Jake Vincent, Darin Warne, Mikel Warne, Michael Warner, Colt Wilkinson, and Shawn Wolkow, all voting aye, motion carried.

RENEWAL OF MALT BEVERAGE LICENSES: This being the date and time advertised motion was made by Coughlin, seconded by Jensen, to re-issue on-off sale malt beverage with SD Farm Wine licenses as follows: Wheaties Sports Bar, General Store, Oxbow, Cowboy Country, The Main Stop, Maynard's, and Dollar General, all voting aye, motion carried.

INFRASTRUCTURE & MAIN STREET PROJECTS: Shane Waterman and Peter Adair, Engineers for IMEG, met with the council to discuss the infrastructure and Main Street project updates. Contracts, bonds, and insurance have been received from the contractor for the 2nd Street and Chase Street Infrastructure project. A Construction Administration Agreement in the amount of \$191,400.00 from IMEG was presented and discussed with the council. The services provided for the project include reviewing shop drawings, on-site observation during construction, attend meetings to present project updates, review pay requests, and prepare documents. The contractor is planning to start construction for the 2nd Street and Chase Street Infrastructure project in mid-June, 2024.

A pre-construction meeting will be held prior to the start of construction.

CONSTRUCTION ADMINISTRATION AGREEMENT: Motion was made by McCune, seconded by Spader, to approve the Construction Administration Agreement with IMEG in the amount of \$191,400.00 for the 2nd Street and Chase Street Infrastructure Project, all voting aye, motion carried.

EXECUTIVE SESSION: Motion was made by Jensen, seconded by McCune, to go into executive session to discuss personnel, and consult with the attorney at 6:17 pm. Mayor Wolkow declared the council out of executive session at 7:02 pm.

LAND TRANSFER: Motion was made by Cavanaugh, seconded by Hansen, to approve deeding Lots 1, 2, and 3, Block 3, Sub lot of Govt. Lot 1 24-111-56 Sub City Aud Plat, to the City of De Smet, Kingsbury County, South Dakota, to the De Smet Development Corporation, all voting aye, motion carried.

KINGBROOK WATER EASEMENT: Motion was made by Coughlin, seconded by Cavanaugh to approve granting an easement to Kingbrook Rural Water on the Southeast corner of the airport outside of the fenced area and to ask Kingbrook Rural Water to provide a service line into the airport, all voting aye, motion carried.

NOTICE OF INTENT TO PROVIDE WATER: Motion was made by Cavanaugh, seconded by Mc Cune, to approve Kingbrook Rural Water providing water to a structure owned by Ava, Inc and located outside of city limits, all voting aye, motion carried.

AIRPORT SRE BID: Bids for airport snow removal equipment were opened on May 7, 2024. One bid in the amount of \$283,129.80 was received from Butler Machinery of Huron. Motion was made by Cavanaugh, seconded by Hansen, to accept the bid from Butler Machinery of Huron in the amount of \$283,129.80 with trade-in for snow removal equipment contingent upon FAA approval of the Buy American Waiver and receipt of a FAA grant offer, and authorize the Mayor to sign documents for the SRE project, all voting aye, motion carried.

PROPERTY TAX ABATEMENT: Motion was made by Spader, seconded by Jensen, to approve an abatement of property taxes in the amount of \$256.12 for parcel #7899, as requested by the Kingsbury County Directory of Equalization for a correction needed, all voting aye, motion carried.

MOSQUITO GRANT: Motion was made by Cavanaugh, seconded by McCune, to approve applying for the Dept. of Health Mosquito Control grant, all voting aye, motion carried.

JUNE REGULAR COUNCIL MEETING: Motion was made by Cavanaugh, seconded by Coughlin, to approve moving the June regular city council meeting date to June 5, 2024, at 5:00 pm, at the Event Center, all voting aye, motion carried.

AERIAL SPRAYING PERMIT: Motion was made by Jensen, seconded by Coughlin, to approve the aerial spraying permit submitted by Wilde Air Service, LLC, all voting aye, motion carried.

SURPLUS PROPERTY & APPRAISAL COMMITTEE: Motion was made by Hansen, seconded by McCune, to approve declaring the 1988 Chevrolet Fire Truck with fire apparatus with approximately 3,090 miles as surplus property and to appoint Cole Munger, Mark Hojer, and Dane Coughlin to appraise the fire truck, all voting aye, motion carried.

SEASONAL HELP: Motion was made by Cavanaugh, seconded by Spader, to approve hiring Randi Albrecht as a softball coach in the amount of \$950.00 for the 2024 season, and Ashley Harty to clean the museum for the season startup in the amount of \$20.00/hour, all voting aye, motion carried.

STREETS: Motion was made by McCune, seconded by Coughlin, to approve blocking 3rd Street from the corner of Calumet and 3rd Street going west to the alley for a cornhole tournament sponsored by the De Smet Community Women on June 8, 2024, all voting aye, motion carried.

EVENT CENTER KEY DEPOSITS: Motion was made by Cavanaugh, seconded by Spader, to amend the current deposit of \$10.00 for an Event Center Key, to a \$10.00 fee including sales tax effective immediately, all voting aye, motion carried.

PROJECT PAYMENTS: Motion was made by Coughlin, seconded by McCune, to approve pay requests: Helm's & Associates, pay request 3, Airport SRE project \$360.00; IMEG, Calumet water main pay request 21005454.01-11 \$16,500.00; IMEG, Calumet sewer main project pay request 21005454.02-11 \$6,000.00; IMEG, Main Street project pay request 21005454.03-9 \$7,000.00; IMEG, Chase & 2nd Street water pay request 22006268.00-13 \$4,000.00; IMEG, Chase & 2nd Street sewer pay request 22006268.01-13 \$2,000.00; IMEG, East side water project pay request 22006269.00-4 \$26,769.00; IMEG, East side sewer pay request 22006269.01-4 \$2,800.00; IMEG, sewer lining & manholes pay request 22006270.00-3 \$4,000.00 all voting aye, motion carried. Airport projects are funded 95% by federal and state grant funds.

DE SMET DEVELOPMENT CORPORATION: Development Coordinator, Jamie Lancaster, invited the council to the next semi-annual community meeting on June 4, 2024 at 7:00 AM at the Oxbow; presented the 2023 state tourism statistics; the De Smet youth garden is being done again this year; and the De Smet Sculpture Trail will be included in a South Dakota public art documentary.

OVERTIME: Motion by Spader, seconded by Cavanaugh, to approve the overtime hours for the month of April 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 April law enforcement report; 2) vehicle speeds on Main Street; and 3) property cleanup reviews.

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

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

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