

REGULAR MEETING DE SMET COMMON COUNCIL  
September 14, 2022

The De Smet Common Council met in regular session on September 14, 2022, at 5:00 p.m., with the following present: Council members Cole Munger, Bret Jensen, Pam Spader, Lowell Hansen, George Cavanaugh, Shon Asleson, 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 was started with the council and those from the public reciting the Pledge of Allegiance.

**ANNOUNCEMENTS:** The Mayor announced that there will be a retirement celebration for Development Coordinator Rita Anderson, on Saturday, September 24, 2022, at the Event Center starting at 6:30 PM, and the city of De Smet will be flushing water mains on Tuesday and Wednesday, September 20<sup>th</sup> & 21<sup>st</sup>, weather permitting

**MINUTES:** Motion was made by Cavanaugh, seconded by Jensen, to approve the minutes of the August 10, 2022 Regular Meeting and August 31, 2022 Special meeting, all voting aye, motion carried.

**CLAIMS:** Motion by Spader, seconded by Cavanaugh, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$42,010.57; OASI Benefit 3,213.76; Aflac, ins. premium 187.98; Dearborn National, life insurance 123.20; Delta Dental of South Dakota 335.20; VSP 169.80; The Health Pool of SD, health insurance premium 6,955.97SDRS, retirement benefit 3,981.56; Mediacom, utilities 9020; SD Library Association, conference registration 290.00; SD Municipal League, conference registration 100.00; SDWWA, conference registration 130.00; Visa, supplies, utilities, books 145.99; Demco, supplies 185.05; Ferguson Waterworks, repairs & maintenance 689.08; Hali-Brite, Inc., supplies 189.78; Halme, Inc., water break repair 20,953.65; Hawkins, chemicals 2,746.09; Heather & Matthew Peckenpaugh, deposit refund 30.00; Innovative Office Solutions, supplies 1,593.04; Kingsbury Electric Cooperative, repairs & maintenance, and improvement 1,311.98; Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement 6,283.33; Kingsbury Electric Cooperative, utilities 143.84; Kingsbury Journal, publishing 222.60; Kingsbury Journal, library publishing 17.40; LIW Pageant, marketing 500.00; Maynard's, supplies 41.43; Maynard's, library supplies 41.00; Maynard's, pool supplies 67.86; Micro Marketing, LLC, supplies 465.53; Napa, repairs & maintenance 19.43; Northwest Pipe Fittings, Inc., repairs & maintenance 375.19; Northwestern, utilities 108.93; O'Keefe Implement, Inc., repairs & maintenance 208.40; Office Peeps, Inc., library supplies 49.68; Office Peeps, Inc., supplies 516.50; Ottertail, utilities 5,892.07; Pollardwater, repairs & maintenance 108.64; Postmaster, supplies 232.00; Reader Service, supplies 39.09; Rich's, fuel 2,177.39; SD Dept. of Revenue, recreation sales tax 560.72; SD Dept. of Revenue, sanitations sales tax 467.65; Share Corp., chemicals 3,063.40; SLH Holdings, meter deposit refund 125.00; Smith's Lumber, supplies 199.69; Southeast South Dakota Tourism, marketing 265.00;

Spire Properties, LLC, 125.00; Spirit Lake Presbyterian Church, deposit refund 50.00; The Main Stop, supplies & fuel 1,191.74; Valley Fibercom, utilities 493.36; Ward's, supplies 38.00; Bode Construction, Inc., Brewster Street project 28,897.46; Helms & Associates, airport Super AWOS III project 14,847.80; IMEG, Wastewater facility plan 1,176.25; IMEG, Water facility plan 1,088.75.

**BUILDING & DEMOLITION PERMITS:** Motion was made by Munger, seconded by Asleson, to approve the of building permit applications submitted by Dianne Mollner, addition to front steps; Lily Design (Jennifer Grover) wrap-around porch; and Jake Vincent, roof over existing concrete patio area, all voting, motion carried. Motion was made by Cavanaugh, seconded by Asleson to approve the demolition permit application submitted by the De Smet School District, to demo a residential structure, all voting aye, motion carried.

**SPECIAL LIQUOR LICENSE:** LuAnn Klinkel dba Klinkel's III has requested three special liquor licenses for events to be held at the De Smet Event Center on September 24, 2022, from 6:00 pm to 12:00 am, October 29, 2022, from 4:30 pm to 12:00 am, and November 5, 2022 from 4:30 pm to 12:00 am, and the De Smet Volunteer Fire Department for an event to be held at the De Smet Event Center on October 22, 2022, from, 4:30 pm to 12:00 am. Motion was made by Hansen, seconded by Munger, to approve the special liquor licenses to LuAnn Klinkel dba Klinkel's III for events to be held at the De Smet Event Center on September 24, 2022, from 6:00 pm to 12:00 am, October 29, 2022, from 4:30 pm to 12:00 am, and November 5, 2022 from 4:30 pm to 12:00 am, and the De Smet Volunteer Fire Department for an event to be held at the De Smet Event Center on October 22, 2022, from, 4:30 pm to 12:00 am, all voting aye, motion carried.

**LIQUOR LICENSE TRANSFER:** Transfer of the on-sale liquor license from Grumpy's (Adam Sorensen & Mike Hunt) to Half Pint (Adam Sorensen) was previously discussed and tabled at the July 13, 2022 and August 10, 2022 council meetings. Adam Sorensen appeared for the meeting. There has not been any finalization of the business negotiations at this time. The liquor license transfer will be tabled until the October

**BULLDOG MEADOWS ADDITION:** A request from Becky Geyer to approve the Bulldog Meadows Addition,, NW  $\frac{1}{4}$  of Section 33, Township 111 North, Range 56 West of the 5<sup>th</sup> P.M., in the County of Kingsbury, South Dakota was presented to the council. The property listed is not in city limits. A motion was made by Cavanaugh, seconded by Hansen to adopt and pass the following Resolution #2022-10 to approve the plat, all voting aye, motion carried.

#### RESOLUTION #2022-10

BE IT RESOLVED by the City council of De Smet, South Dakota, does hereby approve the plat entitled: "Bulldog Meadows Addition,, NW  $\frac{1}{4}$  of Section 33, Township 111 North, Range 56 West of the 5<sup>th</sup> P.M., in the County of Kingsbury, South Dakota" and the Finance Officer is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon. The foregoing resolution was duly passed and adopted.

Dated at De Smet, South Dakota this 14<sup>th</sup> day of September, 2022

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City Chairman, De Smet, SD

ATTEST:

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City Finance Officer, De Smet, SD

**PUBLIC COMMENTS:** None.

**PROJECT UPDATES:** Shane Waterman, Engineer for IMEG, submitted a written update on the Brewster Wastewater Project, the water problem with a residence on 1<sup>st</sup> Street, and the utility mapping.

A construction change order for the Brewster wastewater project was presented to the council decreasing the project amount -\$2,438.54. Changes to the project include adding a manhole ring and cover that the city was originally going to provide for the project, but the ring and cover in the city inventory was a different size. Other changes included were reduced quantities needed for gravel and various items, and taking off the deflection test. Total construction costs for the Brewster wastewater project total \$83,842.46. Motion was made by Spader, seconded Asleson, to approve Change order #1 (Final) decreasing the Brewster wastewater construction project by -\$2,438.54, all voting aye, motion carried. An amendment in the amount of \$7,977.65 for engineering services for the Brewster wastewater project was presented to the council. Questions for the additional engineering fee were discussed. Motion was made by Hansen, seconded by Jensen, to table the amendment for additional engineering for the Brewster wastewater project, all voting aye, motion carried.

Engineer Waterman has been consulted with regarding the on-going problem with the discolored water at a residence on 1<sup>st</sup> Street since mid-May. Delrean and Chris Gilligan were present for the council meeting. Water Supt. Springer had obtained an estimate to purchase a flush hydrant for the private line in the amount of \$1,600.00 without installation. Installing a flush hydrant would not be a permanent solution to correct the problem. Looping the private line would not be as effective. The best solution to correct the problem would be to abandon the private 2" line and connect each service line to the water main.

**SECOND READING OF ORDINANCE No. IV-224 2023 APPROPRIATION ORDINANCE:**

Motion by Cavanaugh, seconded by Jensen, to approve the second reading of Ordinance No. IV-224 2023 Appropriation Ordinance, all voting aye, motion carried.

**STREETS:** Street Superintendent Ryan Petersen met with the council and gave a brief update on the streets that have been treated with the mag water and current street repairs. The council asked Supt. Petersen to start parking the new patch trailer inside when not being used.

**EXECUTIVE SESSION:** Motion was made by Hansen, seconded by Jensen, to approve going into executive session at 6:13 pm to consult with legal counsel, all voting aye, motion carried. Mayor Wolkow declared the council out of executive session at 6:47 pm.

**PROJECT PAYMENTS:** Motion was made by Hansen, seconded by Munger, to approve pay request #8 in the amount of \$14,847.80 to Helms & Associates for the Airport AWOS III project; and pay request #3 (final) in the amount of \$28,897.46 to Bode Construction for the Brewster Street wastewater project; pay request in the amount of \$1,088.75 to IMEG to update the water facility plan; and pay request in the amount of \$1,176.25 to IMEG to update the wastewater facility plan, all voting aye, motion carried. The airport project expenses will be reimbursed by 95% from grant funding.

**CONTINGENCY TRANSFER:** Motion was made from Cavanaugh, seconded by Asleson, to approve transferring \$23,319.00 from Contingency to the Street Department, all voting aye, motion carried.

**TRANSFER:** Motion was made by Spader, seconded by Munger, to approve transferring \$20,387.22 from the sewer restricted fund to the sewer un-restricted to apply to the Brewster Street Wastewater extension project, all voting aye, motion carried.

**FINANCIAL REPORTS:** Motion was made by Cavanaugh, seconded by Asleson, to approve the August, 2022 Cash Balances Report as presented by the Finance Officer, all voted aye, motion carried.

**OVERTIME:** Motion was made by Jensen, seconded by Spader, to approve the August, 2022 overtime as presented, all voting aye, motion carried.

**OTHER:** Other non-action items of discussion were as follows: 1) August law enforcement; 2) property reviews; and 3) a water survey.

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

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Gary Wolkow, Mayor

ATTEST:

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Tracey Larson, Finance Officer

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