

REGULAR MEETING DE SMET COMMON COUNCIL
JANUARY 10, 2018

The De Smet Common Council met in regular session on January 10, 2018, at 5:00 p.m., with the following present: Don Bohn, Lowell Hansen, Larry Jensen arriving later, George Cavanaugh, Jay Slater, Norman Whitaker, President, City Attorney Todd Wilkinson, and FO Tracey Larson. Absent: Mayor Gary Wolkow.

President Whitaker called the meeting to order at 5:00 PM.

MINUTES: Motion was made by Slater, seconded by Cavanaugh, to approve the minutes of the December 13, 2017 Regular Meeting with the correction to the contributing amount to the baseball field should have been published as \$2,415.07 instead of \$2,401.09 and December 28, 2017 Special Meeting, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Slater, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$31,002.41; OASI Benefit 2,371.66; Aflac, ins. premium 371.76; Dearborn National, life insurance 140.80; Farm Bureau Bank, health savings 1,000.00; Delta Dental of South Dakota 451.92; VSP 200.81; Wellmark Blue Cross Blue Shield, health insurance premium 6,009.12; SDRS, retirement benefit 3,720.28; American Trust Ins., insurance 47,919.00; AMG Rural Clinics, supplies 72.00; Century Link, utilities 511.08; City of De Smet, petty cash 57.63; Connecting Point, repair and maintenance 72.50; Cook's Wastepaper & Recycling, city garbage collection 235.50; Cook's Wastepaper & Recycling, residential garbage collection 6,119.48; De Smet Area Chamber, 2018 Chamber dues 100.00; De Smet Trustworthy, supplies 225.78; DENR, certification dues 36.00; Dept. of Revenue, wastewater permit fees 50.00; The De Smet News, publishing 9.80; Dustin Olson, deposit refund 30.00; Energy Dynamics, Inc., supplies 211.42; First District Association, 2018 membership dues 1,235.07; George Cavanaugh, deposit refund 275.00; Glacial Lakes & Prairies, marketing 535.00; Glen Davis, deposit refund 10.00; Hali-Brite, Inc., supplies 53.82; Hawkins, Inc., chemicals 15.00; Heartland Paper Co., supplies 470.01; Jessica Mc Cune, deposit refund 30.00; Kingsbury Electric Cooperative, maintenance 220.00; Kingsbury County Auditor, maintenance 6,283.33; Kingsbury Electric Cooperative, utilities 898.09; Micro Marketing LLC, library supplies 19.60; Mike Coughlin, deposit refund 50.00; NAPA, supplies 17.90; Northwestern, utilities 1,277.46; Office Peeps, Inc., library supplies 47.80; Ottertail, utilities 4,664.58; Postmaster, supplies 204.00; Reader Service, library supplies 17.22; REED, Inc., debt service payment 1,448.41; REED, Inc., debt service principal 690.58; REED, Inc., debt service principal 2,500.00; SD Airport Management Assoc., 2018 membership dues 25.00; SD Assoc. of Rural Water System, 2018 annual dues 550.00; SD Dept of Revenue, recreation sales tax 99.35; SD Dept of Tourism, marketing 450.00; SD Dept of Revenue, garbage sales tax 417.98; SD Governmental HR Assoc., 2018 membership dues 25.00; SD Governmental Finance Officers Assoc., 2018 membership dues 40.00; SD Municipal Street Maintenance Assoc., 2018 membership dues 35.00; SD

Water & Wastewater Assoc., membership dues 10.00; SD Municipal League, 2018 membership dues 1,169.25; SDML Workers Compensation Fund, insurance 10,468.00; Share Corp, supplies 2,623.30; Shawn Bickett, meter deposit refund 125.00; Smith's Lumber, supplies 144.82; State of SD, utilities 21.22; US Auto Force, repairs & maintenance 642.91; US Bank, loan payment and additional principal 32,666.22; WW Tire, repairs & maintenance 199.90; Zell Manufacturing, Inc., repairs & maintenance 69.72, Mediacom, utilities 257.69; Mediacom, utilities 66.60; SDDOT-Office of Air, Rail & Transit-Aeronautics, conference registration 75.00; SDWWA conference registration 60.00; VISA, utilities, registration & supplies 373.98.

LONNY PALMLUND - CHICKENS: Lonny Palmlund met with the council to discuss more about amending the city ordinance to allow a limited number of chickens within city limits. Palmlund presented pictures of sample chicken coops and information from the Sioux Falls ordinance that permits a limited number of chickens in city limits. Attorney Wilkinson will draw up an amendment to the animal ordinance to present at the February 2018 regular meeting.

LARRY CHENEY - GARBAGE SERVICE: Larry Cheney met with the council to inquire if garbage charges at his son's vacant residence could be removed from the billing. The utility billing procedure states that if the water service is turned on, sewer and garbage services are also charged. Cheney was informed that the garbage contract is tied to the other utility ordinance and the garbage charge could not be removed unless the water is turned off.

Council member Larry Jensen arrived at this time.

GRUENHAGEN VARIANCE HEARING: This being the date and time public noticed for the hearing on Variance Application #61 submitted by Jason Gruenhagen, motion was made by Slater, seconded by Jensen 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 President Whitaker.

Jason Gruenhagen has requested that he be allowed to construct a 21 x 21 foot carport five (5) feet from the north property line, zero (0) feet from the east property line, and three (3) feet from the structure to the south on the following legally described property: Lot 1, OL J, Davison Sub-division, and addressed as 207 Boast Ave. SW, De Smet, South Dakota.

The location of the proposed construction was reviewed by Alderman Slater. Jason Gruenhagen was not present for the variance request. No one appeared to comment in opposition to the variance.

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 Lot 1, OL J, Davison Sub-division, 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 all adjacent properties are zoned "R-2 General Residential".
4. That the lot is located at the intersection of two street right-of-ways (Third Street and Boast Avenue) and is therefore considered to be a corner lot.
5. That the Area Regulations of the "R-2" 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.
6. That the "Minimum Yard Requirements" of the R-2 Zoning state that a residential structure shall have a minimum front yard of thirty feet, provided that a greater or lesser setback distance has been established in any block, then no building shall approach nearer any street lot line than a general average of this setback distance.
7. That the existing garage is located five (5) feet over the east property line.
8. That the proposed carport would be constructed with more set-back from the street lot line than the existing garage.
9. That the proposed carport would be constructed within three feet of another existing structure owned by the applicant.
10. That none of the adjoining property owners filed any objection to the proposed variance.
11. That granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
12. That the reasons set forth in the application justify granting a variance.

Motion was made by Slater, seconded by Cavanaugh, to recommend granting the variance as requested, all voting aye, motion carried.

Motion was made by Slater, seconded by Cavanaugh, to adjourn as the Planning & Zoning Board and reconvene as the City Council, all voted aye, motion carried. Motion was made by Slater, seconded by Cavanaugh, to approve the variance application of Jason Gruenhagen as presented, all voting aye, motion carried.

BUILDING PERMITS: One building permit was submitted by Jason Gruenhagen - carport. Permit application was reviewed by the council. Motion by Slater, seconded by Cavanaugh, to approve the building permit for a carport submitted by Jason Gruenhagen, all voting aye, motion carried.

SPECIAL LIQUOR LICENSE: Gary Wiggins, owner of The Dugout, requested a special liquor license for an event to be held at the De Smet Event on January 20, 2018 from 4:00 PM to 2:00 AM. Motion was made by Cavanaugh, seconded by Jensen, to approve a special liquor license for The Dugout, for an event to be held at the De Smet Event Center on

January 20, 2018 from 4:00 PM to 2:00 AM, all voting aye, motion carried.

SECOND READING AMENDING WATER/SEWER RATES: Motion was made by Jensen, seconded by Slater to approve the second reading to amend Ordinance No. II-2Q, to amend 1) the water base charge to \$17.00/billing cycle with no consumption included with the base charge; 2) the water usage rate shall be \$3.10/1000 gallons to be effective with the February billing; voting aye - Slater, Cavanaugh, Jensen, Hansen, and Bohn, voting nay - none, motion carried.

ORDINANCE NO. II-2Q

**AN ORDINANCE AMENDING ORDINANCE NO. II-2 ENTITLED: SECTION II-2-6.
WATER SERVICE HOOKUPS & RATES:**

BE IT ORDAINED BY THE CITY OF DE SMET, SOUTH DAKOTA, THAT SAID ORDINANCE SHALL BE AMENDED TO READ AS FOLLOWS:

Section II-2-6. Water Services Hookups and Rates.

RATE SCHEDULE FOR WATER USAGE

The rates for water consumption shall be computed on a monthly (1 month) basis. Any fractioned use of 1000 gallons shall be rounded to the next 1000 gallon increment and shall be considered as 1000 gallons for billing purposes. A minimum monthly rate of \$17.00 of which sum \$2.50 per hookup shall be designated for debt retirement, shall be charged to the service regardless of usage as long as the water shall be turned on to the service. The following rates shall be effective for residential and commercial usage for water supplied by the City of De Smet, to-wit:

For usage, per 1000 gallons \$3.10

Meters shall be read monthly and water bills shall be due and payable on the 1st day of every month of each year at a place designated by the City. After 5:00 P.M. on the 15th day of said month, water bills shall be deemed delinquent and a 15% penalty shall be added to the unpaid customer's account having a balance of over \$10.00.

No utility connection shall be made for municipal water or sewer services until the owner, occupier or user of the premises shall deposit with the City the sum of \$125.00 as a guarantee of municipal utilities payment. Said deposit shall be retained by the City without interest until the municipal utility service is disconnected or terminated. Upon vacating said building or location of the discontinuance of the use of the municipal utilities therein, the deposit shall be returned to the person who paid said amount, less any sums then due and owing to the City for utility services.

All other sections of said Ordinance and Ordinances amending Ordinance No. II-2, except those herein specifically modified, remain in full force and effect.

To be effective with the February, 2018 billing cycle.

Dated this 10th day of January, 2018.

CITY OF DE SMET

ATTEST:

Norman Whitaker, President

Tracey Larson, Finance Officer

Passed First Reading: December 28, 2017
Passed Second Reading and Adopted: January 10, 2018
Published: January 24, 2018

Motion was made by Cavanaugh, seconded by Slater, to approve the second reading to amend Ordinance No. II-4N, to amend 1) the sewer base charge to \$17.00/billing and 2) amend the sewer usage rate from \$2.80/1,000 gallons of metered usage to 3.10/1,000 gallons of metered usage. Voting aye - Slater, Cavanaugh, Jensen, and Hansen, voting nay - Bohn, motion carried.

ORDINANCE NO. II - 4N

AN ORDINANCE AMENDING CHAPTER II-4 ENTITLED: WASTEWATER CHARGES.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DE SMET, SOUTH DAKOTA:

That Section II-4-3 be amended as follows to-wit:

Section II-4-3. Sewer Service Rates/Metered Services.

The rates for sewer usage shall be computed on a monthly (1 month) basis. There shall be only one class of users for purposes of rate calculation with rates to be determined based upon the users metered water usage. Any fractional use of 1000 gallons shall be rounded to the next 1000 gallon increment and shall be considered as 1000 gallons for billing purposes. A minimum monthly rate of \$17.00, with \$6.50 designated for debt retirement shall be charged to the service regardless of usage as long as the water shall be turned on to the service. An additional monthly charge shall be imposed at a rate of \$3.10 for each 1000 gallons or fraction thereof of metered water usage.

And Section II-4-5 be amended as follows to-wit:

Section II-4-5. Sewer rates for wastewater users who use water in the dwelling, office or other structure from a source other than metered City Water shall be required to pay a monthly rate of \$22.50.

All other provisions not changed herein to remain valid and effective.

To be effective with the February, 2018 billing cycle.

Date this 10th day of January, 2018.

CITY OF DE SMET

ATTEST:

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Water/Supt. Asleson was asked to make a priority list of water and sewer improvements that need to be done in the future.

SECOND READING FOR ORDINANCE LIMITING WOOD PILES: The council reviewed the nuisance ordinance that also included limiting the amount of fire wood that could be stacked on a property. The wood pile portion of the nuisance ordinance will be revised and presented at the February 2018 regular meeting. Motion was made by Slater, seconded by Cavanaugh, to table the second reading limiting the number of cords of wood stored on a property until the February, 2018 Regular Meeting, all voted aye, motion carried.

ARMORY/GYM FACILITY COORDINATOR: Motion was made by Slater, seconded by Bohn, to cancel the contract for the position of Armory/Gym coordinator due to the lack of need for that position for the City, all voting aye, motion carried.

STREETS: Street Supt. Ryan Petersen met with the council to discuss the planned street repairs for 2018. Some of the streets planned for crack sealing may change due to winter wear. Petersen is planning to have a 2" asphalt mat laid on Wilder Lane and questions regarding the water drainage along Wilder Lane were answered. Motion was made by Slater, seconded by Jensen, to advertise for bids in February, 2018 to install a 2" asphalt mat of approximately 500 tons and to crack seal approximately 25,000 lineal feet with bids to be opened at the

March 14, 2018 Regular Meeting, all voting aye, motion carried. Petersen was also asked about the schedule for applying the mag water on planned streets and was asked to check into pouring cement in two areas at the Event Center.

AIRPORT: Airport Engineering Company, Helms & Associates has requested proposals from five different firms to conduct soil investigation and reporting for the new concrete hardstand, hangar taxilane, and runway turnarounds projects at Wilder Field. Proposals were received from four companies as follows: Core Engineering & Consulting, LLC \$3,466.10; Northern Technologies, LLC \$5,264.00; Braun Intertec \$5,795.00; and American Engineering Testing, Inc. \$6,375.00. Motion was made by Slater, seconded by Cavanaugh, to approve the proposal submitted by Core Engineering & Consulting, LLC in the amount of \$3,466.10 to conduct soil investigating and reporting for the new concrete hardstand, hangar taxilane, and runway turnarounds projects at Wilder Field, all voting aye, motion carried.

CONFERENCES: Motion by Slater, seconded by Hansen to approve Airport Supt. Ryan Petersen to attend the 2018 Airports Conference, in Deadwood on April 11th & 12th, 2018 and Water Supt. Randy Asleson and Assist. Charlie Stoddard to attend the 2018 annual Water Seminar, in Oacoma on February 21st & 22nd, 2018, all voting aye, motion carried.

SEASONAL HELP: The city staff recommends that swimming pool staff, coaching positions, and summer help be advertised now so those hired will have additional options for scheduling Lifeguard and WSI Training. Motion was made by Cavanaugh, seconded by Slater, to advertise for seasonal positions, with applications to be due at City Hall no later than 8 AM on February 12, 2018, all voting aye, motion carried.

BASEBALL FIELD PROJECT UPDATE: Council members Jensen and Cavanaugh updated the council on the new baseball field project with the following information: Jensen and Cavanaugh looked at the bleachers in Arlington and scoreboards in Brookings for the ball diamond. A quote for bleachers was also presented to the council from Seating and Athletic Facility Enterprises, LLC. The quote included two different bleacher options: Option 1 - 10 Row with 113 Seating capacity without assembly \$9,832.00; Option 1 with assembly \$11,632.00; Option 2 Seven (7) Row with 108 seating capacity without delivery \$17,258.00; Option 2 with delivery \$18,208.00. Bleachers will be funded with grant money. Council agreed with the baseball committee that Option 1 without assembly would be the best option.

IRRIGATION START-UP: A letter from Mack Landscaping was sent to the city regarding a spring start-up on the irrigation system for the baseball field and Event Center. FO Larson will contact Mack Landscaping to get on the spring schedule for the start-up of the irrigation systems.

FINANCIAL REPORT: Motion was made by Cavanaugh, seconded Slater, to approve the December 2017 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

OVERTIME: Motion by Cavanaugh, seconded by Slater, to approve the overtime hours for the month of December as presented, all voting aye, motion carried.

OTHER: Other non-action items of discussion were as follows: 1) the December law enforcement report; 2) work order forms; and 3) the legislative Rib dinner on Feb. 7, 2018.

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

To comply with SDCL 6-1-10. Publication of Payroll information, the payroll changes were effective December 28, 2017 as follows: Supt. of Water & Wastewater, Randy Asleson \$24.40/hour; Asst. Streets, Curt Bau \$17.45/hour; Deputy Finance Officer, Karen Hansen \$14.15/hour; Supt. of Streets, Ryan Petersen \$20.85/hour; Library Director, Mary Purintun \$18.55/hour; Assistant Librarian, Linda Reynhout \$16.90/hour; Supt. of Parks & City Buildings Richard Stoddard \$17.05/hour, Event Center Custodian, Kent Munger \$13.25/hr; all other employees \$10.25/hour; and to set the annual salary for the Finance Officer Tracey Larson at \$4,953.00/mo. and Event Center Director Kristy Hubbard at \$3,237.87/mo. to be effective January 1, 2018, Mayor Gary Wolkow \$375.00/qtr. & \$50.00/reg. & sp. mtgs; Council members Don Bohn, Lowell Hansen, Larry Jensen, George Cavanaugh, Jay Slater, and Norman Whitaker \$250.00/qtr. & \$25.00/reg. & sp. mtgs..

Norman Whitaker, President

ATTEST:

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ _____