

REGULAR MEETING DE SMET COMMON COUNCIL  
April 10, 2024

The De Smet Common Council met in regular session on April 10, 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.

**PROCLAMATION:** Mayor Wolkow announced that Arbor Day will be observed in De Smet on April 26, 2024 and issued the following proclamation.

ARBOR DAY PROCLAMATION 2024

**WHEREAS** in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, and

**WHEREAS** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and  
**WHEREAS** Arbor Day is now observed throughout the nation and the world, and

**WHEREAS** trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, and

**WHEREAS** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

**WHEREAS** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

**WHEREAS** trees – wherever they are planted – are a source of joy and spiritual renewal.

**NOW, THEREFORE,** I, Gary Wolkow, Mayor of the City of De Smet, do hereby proclaim April 26, 2024, as **ARBOR DAY** In the City of De Smet, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

**FURTHER,** I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

**DATED THIS** 10<sup>th</sup> day of April, 2024.

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Mayor: Gary Wolkow

**MINUTES:** Motion was made by Spader, seconded by Cavanaugh, to approve the minutes of the March 13, 2024 Regular Meeting minutes and the March 26, 2024 Special Meeting minutes, all voting aye, motion carried.

**CLAIMS:** Motion by Cavanaugh, seconded by Spader, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$43,422.88; OASI Benefit 3,321.85; 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 4,415.26; De Smet Postmaster, Cody Siver special exception 114.38; Stein Sign Display, digital highway sign donation 10,000; Visa, supplies and utilities 2,209.99; De Smet Postmaster, Hildebrandt variance 40.25A-Ox Welding Supply Co., Inc., rental 115.00; Anderson Lumber, supplies, repairs & maintenance 160.25; Angela Hasche, key fob refund 10.00; Avera Occupational Medicine, supplies 85.00; Avid Hawk LLC, supplies 35.00; Bruce Wolkow, repairs & maintenance 100.00; Center Point Large Print, supplies 30.71; City of De Smet, utilities 584.18; City of De Smet, supplies 41.14; City of De Smet, water meter deposit 75.00; Colonial Research, supplies 1,082.40; Connecting Point, supplies, computer software, repairs & maintenance 79.42; Cook's Country, supplies 34.95; Cook's Wastepaper & Recycling, repairs & maintenance 7,244.74; CR Corner, LLC, diesel & fuel 1,592.04; Dakota Pump, repairs & maintenance 4,892.12; DANR, fee 60.00; De Smet Development Corp., contributions 1,000.00; De Smet Trustworthy, supplies, 108.28; Department of Health, water labs 30.00; Ferguson Waterworks, repairs & maintenance 1,153.63; Hawkins, Inc., chemicals 2,436.84; Innovative Office Solutions, supplies 280.92; I&S Group, Inc., capital improvement project 1,000.00; Jenny Todd, election worker 182.00; Judy Wolkow, election worker 203.00; Kathy Hawkins, election worker 203.00; Kingsbury Electric Cooperative, repairs & maintenance 90.00; Kingsbury Electric Cooperative, repairs & maintenance 220.00; Kingsbury County Auditor, law enforcement 6,933.33; Kingsbury Electric Cooperative, utilities 489.06; Kingsbury Journal, publishing 794.25; Kingsbury Journal, library publishing 14.60; Kramer Mechanical, repairs & maintenance 715.21; Lincoln Aquatics, pool equipment 4,063.27; Markel Specialty Commercial, insurance 350.00; Matt & Katelyn Larson, event center deposit refund 50.00; Maynard's, supplies 11.37; McLeod's Printing and Office Supplies, supplies 29.89; Michelle Collier, event center deposit refund 30.00; Micro Marketing LLC, supplies 283.04; Napa, repairs & maintenance 217.13; Northwest Pipe Fittings, Inc., repairs & maintenance 1,394.38; Northwestern, utilities 1,301.54; O'Keefe Implement, Inc., repairs & maintenance 1,460.17; Office Peeps, Inc., library supplies 54.65; Office Peeps, supplies 147.98; Ottertail Power Company, utilities 5,955.11; Postmaster, supplies 318.00; Premier Equipment, LLC, equipment 4,150.00; Randi Albrecht, event center deposit refund 30.00; Roger & Angie Billings, reissue check 125.00; SD Department of Revenue, sanitation sales tax 491.51; SDAFCS,

event center deposit refund 280.00; Share Corp., supplies & chemicals 3,585.34; South Dakota 811, locates 18.90; Sports Illustrated, supplies 35.04; Susan Thomas, event center deposit refund 30.00; US Bank, 3<sup>rd</sup> Street water loan principal & interest 2,666.22; US Bank, water looping project principal & interest 4,043.31; Valley Fibercom, utilities 485.56; Zell Manufacturing, repairs & maintenance 88.00; Mediacom, utilities 106.20; Helm and Associates, airport SRE project 180.00.

**ZONING:** Motion was made by Jensen, seconded by Coughlin, 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.

This being the date and time public noticed for the hearing on Variance Application #108 submitted by Lane Hildebrandt represented by Greg Hiles met 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 7<sup>th</sup> 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 not received confirmation that the most impacted adjacent property owner has received their certified letter. Motion was made by Cavanaugh, seconded by Jensen, to table the variance application #108 submitted by Lane Hildebrandt until the adjacent property owner is contacted, all voting aye, motion carried.

Motion was made by Cavanaugh, seconded by McCune, 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 Cavanaugh, seconded by Coughlin, to table Variance application #108 submitted by Lane Hildebrandt until the adjacent property owner is contacted, all voting aye, motion carried.

**BUILDING PERMITS:** Motion was made by Jensen, seconded by Coughlin, to approve the building permit application submitted by Cole Munger to extend and existing fence, all voting aye, motion carried.

**SPECIAL LIQUOR LICENSES:** Applications for four special liquor license was submitted by Lu Ann Klinkel, owner of Klinkel's III for an events to be held at the De Smet Legion Hall on April 24, 2024, from 5:00 pm - 10:00 pm and on April 27, 2024, from 5:00 pm - 11:00 pm; and events to be held at the De Smet Event Center on May 8, 2024, from 3:00 pm - 7:00 pm and on May 25, 2024 from 6:00 pm to 12:00 am. Motion was made by Cavanaugh, seconded by Coughlin, to approve the special liquor license application submitted by Lu Ann Klinkel, owner of Klinkel's III for events to be held at the De Smet Legion Hall on April 24, 2024, from 5:00 pm - 10:00 pm and on April 27, 2024, from 5:00 pm -

11:00 pm; and events to be held at the De Smet Event Center on May 8, 2024, from 3:00 pm - 7:00 pm and on May 25, 2024 from 6:00 pm to 12:00 am, all voting aye, motion carried.

**DALE THOMSEN & PATTI SLATER:** Dale Thomsen and Patti Slater met with the council to discuss the water pressure at their homes. Pressure tests done by Water Supt. Springer were done in the fall of 2023 at the four duplex locations and have been recently re-tested by the Rural Water Association. One residence of the four showed a lower pressure when tested. Running a camera in the water line was also discussed or excavating the line with the lowest pressure.

**PUBLIC COMMENTS:** Mark Siefkes met with the council and talked about the water pressure formula based on the height of the tower and reading about the history of a petition presented to Abraham Lincoln during his presidency.

**WELL INFRASTRUCTURE:** Water Supt. Springer has been looking into options to replace the backup Well #7. The location of Well #7 has already had several wells in that location over the years. Aaron Butler, with Thein Well, met with the council to discuss and answer questions, and to inform them of the process his company does when they drill a new well. A new well would be drilled approximately 300' from Well #8 and tied into the existing infrastructure. The existing backup generator would run both wells if needed. Estimate to drill the new well is \$95,690.00. Motion was made by Hansen, seconded by Cavanaugh, to approve Thein Well drilling a new well as presented in the amount of \$95,690.00 to be completed in 2024, all voting aye, motion carried.

**DE SMET DEVELOPMENT CORPORATION:** Development Coordinator, Jamie Lancaster, asked the council to include the Main Street Committee on the agenda of the next Main Street Project meeting. Their goal is to attract people to Main Street where they can spend more time in De Smet.

**INFRASTRUCTURE PROJECTS:** Shane Waterman, Engineer for IMEG, met with the council to discuss project updates. Plans for the Main Street project have continued and have been submitted to SD DANR for review. Bids for the Chase Street and 2<sup>nd</sup> Street infrastructure projects were opened on April 3, 2024. Nine bids were received for the project. Waterman also stated that he had received the new logo options as an idea to put on the water tower.

**MAIN STREET PROJECT SPECIAL MEETING:** Motion was made by Spader, seconded by Jensen, to approve having a special meeting on Tuesday, April 30, 2024, at 6:00 pm, to be held at the De Smet Event Center, to discuss the Main Street Project, all voting aye, motion carried.

**EXECUTIVE SESSION:** Motion was made by Cavanaugh, seconded by McCune, to go into executive session to discuss personnel, contracts, and consult with the attorney at 7:19 pm. Mayor Wolkow declared the council out of executive session at 7:45 pm.

**CHASE STREET & 2<sup>ND</sup> STREET INFRASTRUCTURE PROJECT BIDS:** Nine bids were received and publicly opened on April 3, 2024. Bids received for the Chase Street & 2<sup>nd</sup> Street Infrastructure Project are as follows:

<u>Company</u>	<u>Bid Amount</u>
Halme, Inc. Lake Norden, SD	\$2,320,935.05
Menning Excavating Inc. Mitchell, SD	\$2,415,445.72
TLC Olson Construction Huron, SD	\$2,542,173.00
Winter Contracting, LLC Brookings, SD	\$2,347,266.20
Flatland Enterprise, LLC Watertown, SD	\$1,909,759.70
Midland Contracting, Inc. Volga, SD	\$2,329,796.01
Prunty Construction Company Brookings, SD	\$2,026,672.60
First Rate Excavate, Inc. Sioux Falls, SD	\$2,338,000.00
H&W Contracting, LLC Sioux Falls, SD	\$2,793,433.87

The bids have been reviewed by the engineering company and a letter of recommendation was presented to the council. Motion was made by Cavanaugh, seconded by Jensen, to approve awarding the bid from Flatland Enterprise, LLC in the amount of \$1,909,759.70 for the Chase Street & 2<sup>nd</sup> Street Infrastructure Project pending approval from SD DANR, all voting aye, motion carried.

**SCHOOL PARKING PROJECT:** Shane Waterman, Engineer for IMEG, presented a proposal for a parking area by the new elementary school addition. The plan included diagonal parking, ADA ramps, a bus drop off area, and wider sidewalk. Motion was made by Spader, seconded by Cavanaugh, to table the school parking design proposal until meeting with the school board, all voting aye, motion carried.

**NEIL & LINDA ROMMEREIM:** Neil & Linda Rommereim met with the council to ask them to consider excluding their property when sidewalks are installed during the 2<sup>nd</sup> Street Infrastructure Project. Rommereim's feel like the sidewalk is pointless and an added expense. The Council did inform Rommereim's that they understand their request, but some of the concrete prices had been bid lower than estimated, and excluding one property would not be fair to other property owners. No action was taken.

**SECOND READING TO AMEND THE GARBAGE RATE ORDINANCE No. VIII-2GA:** A letter to increase the garbage rates by 4% was received from Cook's Wastepaper and Recycling. Motion was made by Cavanaugh, seconded by Jensen, to approve the second reading to amend Ordinance No. VIII-2GA,

increasing the garbage rates by 4%, five voting aye, one voting nay, motion carried.

**ORDINANCE No. VIII-2GA AMENDMENT**

AN ORDINANCE AMENDING ORDINANCE NO VIII-2GA AS AMENDED, ENTITLED AN ORDINANCE FOR THE COLLECTION OF SOLID WASTE WITHIN THE CITY OF DE SMET.

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

That the following Section shall be amended to read as follows:

Section VII-2-3. Standards and Regulations

a. All persons residing in a single-family dwelling shall be billed for the garbage collection services provided for in this ordinance by the City of De Smet. The charges for collection services shall be as follows:

- 1) Single residential regular service with one (1) 65 or 95-gallon container supplied by contactor: Monthly charge - \$19.38 which shall include a \$2.00 monthly administrative fee to the City of De Smet.
- 2) Special Exception for persons over the age of 65, living alone, or for married persons who are both over the age of 65, living by themselves in a single residential unit: Monthly charge shall be \$18.74 which shall include a \$2.00 monthly administrative fee to the City of De Smet.

This Ordinance shall be effective with the May 2024 billing cycle. All other provisions of this ordinance not specifically modified by the amendment shall remain in full force and effect.

Dated this 10th day of May, 2024.

CITY OF DE SMET

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Mayor - Gary Wolkow

ATTEST:

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Finance Officer - Tracey Larson

Passed First Reading: March 26, 2024

Passed Second Reading: April 10, 2024

Published: April 24, 2024

**EASEMENT:** A request for an easement at the airport has been submitted to the City by Kingbrook Rural Water. Motin was made by Spader, seconded by Cavanaugh, to table the easement until more information from the FAA is received, all voting aye, motion carried.

**ELECTION CANVASS:** The Mayor declared the Council to be convened as the official canvass board. The canvass of the returns from the April 9, 2024, municipal election as recorded in the poll books were found to be correct as follows:

<b>WARD III:</b> Marina Rose Garcia	17
Dane Coughlin	42

The total ballots voted and counted at the time of the election tallied with the amount of the canvass board; motion by Cavanaugh, seconded by McCune, to declare and certify the vote to be correct, all voting aye, motion carried.

**ELECTRONICS COLLECTION AND RUS FREE DUMPING DATES:** Motion was made by Spader, seconded by Coughlin, to approve the electronics collection date on Friday, May 10, 2024 from 7:00 AM - 4:00 PM at the new City Shop, and the free dumping dates at the Restricted Use Site as follows: Tuesdays - May 7<sup>th</sup> & 14<sup>th</sup> - 6:00 PM - 8:00 PM and Saturdays - May 11<sup>th</sup> & May 18<sup>th</sup> - 10:00 AM - 3:00 PM weather permitting, all voting aye, motion carried.

**FLOWER BARRELS:** One quote was received to provide and plant flowers in 25 barrels on main street and 2 containers at the library were as follows: Jesser's Greenhouse - \$45.00/barrel. Motion by Cavanaugh, seconded by Jensen, to accept the quote from Jesser's Greenhouse of \$45.00/barrel, to provide and plant the flowers, for a total cost of \$1,215.00, all voting aye, motion carried.

**STREETS:** Motion was made by Cavanaugh, seconded by Coughlin, to approve blocking a portion of Wilder Lane for during an Event Center rental on July 5 & 6, 2024, all voting aye, motion carried.

**EVENT CENTER & RECREATION:** Event Center Director, Kristy Hubbard, informed the council that she has had inquiries about volunteers helping with the summer rec programs.

**SEASONAL HELP:** Motion was made by Cavanaugh, seconded by McCune, to approve hiring Noah Roth as a lifeguard and city help at a rate of \$13.00 per hour, all voting aye, motion carried.

**PROJECT PAYMENTS:** Motion was made by Jensen, seconded by Coughlin, to approve pay requests: Helm's & Associates, pay request 2, Airport SRE project \$180.00, all voting aye, motion carried. Airport projects are funded 95% by federal and state grant funds.

**CONFERENCES:** Motion was made by McCune, seconded by Spader, to approve FO Larson attending the Human Resource and Finance Officer Conference in Spearfish, June 11<sup>th</sup> - 14<sup>th</sup>, 2024, all voting aye, motion carried.

**AUDIT REVIEWS:** The Council was presented the audit reviews from ELO Prof. LLC for 2021. The audit has been submitted to the State. Motion was made by Coughlin, seconded by Cavanaugh, to approve the

2021 audit report submitted by ELO Prof. LLC, all voting aye, motion carried.

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

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

**OTHER:** Other non-action items of discussion were as follows: 1) the March law enforcement report.

**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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