

REGULAR MEETING DE SMET COMMON COUNCIL

May 14, 2025

The De Smet Common Council met in regular session on May 14, 2025, at 5:00 p.m., with the following present: Council members, George Cavanaugh, Bret Jensen, Dustin McCune, Dane Coughlin (via speaker phone), Pam Spader, President Lowell Hansen, Finance Officer Tracey Larson, and City Attorney Todd Wilkinson. Absent: Mayor Gary Wolkow.

President Hansen 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: None.

MINUTES: Motion was made by Cavanaugh, seconded by McCune, to approve the minutes of April 9, 2025, Regular Meeting minutes, 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 \$46,332.06; OASI Benefit 3,544.41; Aflac, ins. premium 95.03; Dearborn National, life insurance 105.60; Delta Dental of South Dakota 461.40; VSP 162.60; The Health Pool of SD, health insurance premium 9,115.88; SDRS, retirement benefit 4,988.72; Postmaster, variance postage 80.55; Mediacom, utilities 112.20; Visa, supplies & utilities 2,226.79; World Insurance library insurance 3,063.00; Allegra, supplies 682.92; American Water Works Assoc., travel conference 83.00; AMG-Avera Occupational Medicine, drug testing 512.40; Anderson Lumber, supplies 68.95; Avera, pre-employment physical 187.00; Avid Hawk LLC, monthly web site fee 35.00; Bode Construction, LLC, repair & maintenance 1,301.02; Brenda Kruse, reimburse for museum supplies 102.70; Bruce Gebhart, deposit refund 275.00; Center Point Large Print, supplies 119.77; Chris St. Stauver, deposit refund 30.00; City of De Smet, petty cash supplies & postage 65.08; City of De Smet, utilities 742.85; Twotrees Technologies, supplies, computer software, repairs & maintenance 174.42; Cook's Wastepaper & Recycling, city garbage service 286.06; Cook's Wastepaper & Recycling, residential garbage collection services 7,540.39; Core & Main LP, supplies 124.22; Cowboy Country Store, fuel 468.26; CR Corner, LLC, fuel & supplies 502.98; Dakota Pump, repairs & maintenance 632.24; Dave's Window Cleaning, INC., repairs & maintenance 400.00; De Smet Development Corp, contributions 1,000.00; De Smet Trustworthy Hardware, supplies 44.26; Department of Health, water labs 43.00; Efraimson Electric, repair & maintenance 1,650.96; Elo Prof. LLC, audit fees 10,890.00; Eric Easton, deposit refund 30.00; Erica Coughlin deposit refund 30.00; Ferguson Waterworks, water meters 4,578.80; Garden Gate, supplies 41.00; Gumdrop Books, books 641.63; Hawkins, water chemicals 2,579.58; Heiman repairs & maintenance 1,288.00; Jeff's Vacuum Center, repairs & maintenance 158.37; Kingsbury Electric Cooperative, repairs & maintenance 240.00; Kingsbury Electric Cooperative, repairs & maintenance 220.00; Kingsbury County Auditor, services 6,933.33; Kingsbury Electric Cooperative, utilities 281.32; Kingsbury Journal, publishing 974.27; Kingsbury Journal, library publishing 63.00; Kristy Hubbard, reimburse for supplies 32.67; LIW Pageant, publishing 550.00; Maynard's De Smet, supplies 90.16; Micro Marketing, supplies 469.03; Napa, repairs & maintenance 14.98; Northwest Pipe Fittings, INC, repairs & maintenance 484.36; Northwestern, utilities 576.33; O'Keefe Implement, Inc,

street dept. pickup 20,500.00; O'Keefe Implement, Inc., repairs & maintenance 1,202.31; Office Peeps, Inc., library supplies 60.12; Office Peeps, Inc., supplies 240.45; Olson's Pest Technicians, repairs and maintenance 75.00; Ottertail Power Company, utilities 5,603.08; Postmaster, supplies 1,826.00; SD Dept of Agriculture, permit fee 250.00; SD Dept. of Revenue, sales tax 243.03; SD Dept. of Revenue, sanitation sales tax 498.11; Share Corp, supplies & chemicals 3485.72; Socially Untapped, marketing 200.00; Southeast SD Tourism Assoc., marketing 275.00; Stacie Gruenhagen, deposit refund 50.00; Swimming Pool, petty cash 150.00; T-N-T Auto Salvage, 160.00; Team Lab, supplies 246.40; The Penworthy Company, LLC, books 259.65; Valley Fibercom, utilities 499.14; Zimco Supply Co., supplies 460.00; IMEG, Calumet Utility Improvements \$14,732.00; IMEG, 2nd Street & Chase Street Sewer project \$9,570.00; Halme, Calumet project \$84,884.61; Foerster Testing, 2nd Street & Chase Street concrete testing \$1,200.00; Flatland, 2nd Street & Chase Street Project \$144,558.00.

COUNCIL REORGANIZATION: The May meeting being the reorganization meeting, the old council was reconvened as the new council. The Oath of Office was administered by City Attorney Todd Wilkinson to Dustin McCune - Alderman Ward I, and Bret Jensen - Alderman II.

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

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

APPOINTED OFFICIALS: Nominations were made by President Hansen to appoint Tracey Larson as Finance Officer, and Todd Wilkinson as City Attorney, Motion by Cavanaugh, seconded by McCune, that the appointive offices for the year 2025-2026 shall be filled as follows: Tracey Larson reappointed as Finance Officer, and Todd Wilkinson reappointed as City Attorney, all voted aye, motion carried.

Coughlin joined the meeting at this time.

RENEWAL OF MALT BEVERAGE LICENSES: This being the date and time advertised motion was made by McCune, seconded by Spader, to re-issue on-off sale malt beverage with SD Farm Wine licenses as follows: Klinkel's III, Wheaties Sports Bar, General Store, Oxbow, Cowboy Country, The Main Stop, Half Pint, LLC, Prairie Fire Bar & Grill, Maynard's, Dollar General, and De Smet Super Deluxe Inn & Suites 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 events to be held at the De Smet American Legion Hall on May 24, 2025, from 5:00 pm - 11:00 pm and on June 14, 2025, from 5:00 pm - 11:00 pm at the De Smet Event Center. Motion was made by Cavanaugh, seconded by McCune, to approve the special liquor licenses submitted by Lu Ann Klinkel, owner of Klinkel's III for events to be held at the De Smet American Legion Hall on May 24, 2025 from 5:00 - 11:00 pm and at the Event Center on June 14, 2025, from 5:00 pm - 11:00 am, all voting aye, motion carried.

LIQUOR VENDOR: Motion was made by Jensen, seconded by Cavanaugh, to approve BlackFork Spirits, LLC as a liquor vendor in De Smet, all voting aye, motion carried.

GARBAGE: This being the date and time advertised, bids for garbage services were opened by City Attorney Wilkinson. Two bids for garbage service were received as follows:

<u>Company</u>	<u>Pickup Charge</u>
United Sanitation Services	June 1, 2025 - \$22.00/month 2026 - \$22.50/month 2027 - \$23.00/month 2028 - \$23.50/month 2029 - \$24.00/month Through May 31, 2030 - \$24.50/month Extra Cans \$6.00 per dump
Cook's Wastepaper & Recycling	\$16.50/month plus tax Extra Cans \$8.00/can per month

Motion was made by Cavanaugh, seconded by Spader, to accept the bid for garbage services with Cook's Wastepaper & Recycling, in the amount of \$16.50/month plus tax, and extra cans \$8.00/can per month, all voting aye, motion carried.

ZONING: Motion was made by Spader, seconded by McCune, 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 Hansen.

This being the date and time public noticed for the hearing on Variance Application #115 submitted by Seth Wallen for Lynell Tande, represented by Seth Wallen, Wallen and Tande met with the board to discuss the variance application. Seth Wallen has requested a variance to allow him to construct a new residential structure with an attached garage that will be 12 feet from the Primary or Secondary (East) property line on the property in an area zoned "R-2" General Residential District on the following legally described property: Lot 14, Block 16, Brown's Addition, and addressed as 402 Hwy 14 W., 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 3.04.03 of the City Zoning Ordinance. Nobody from the public appeared for discussion of the variance application.

The location of the proposed construction was reviewed by the zoning board. 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 Lots 14, Block 16, Brown's Addition, 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 District".
3. That adjacent properties are zoned "R-2 General Residential" to the North, South, East, and West.
4. That the lot is located on a corner lot and therefore has a primary and secondary front yard lot line, and side lot lines.
5. That the Area Regulations of the "R-2 General Residential" zoning require a minimum Primary yard set-back of 25 feet and a Secondary yard set-back of 15 feet.
6. Section 2.06.06 Area Regulations Table 2.06.06.02. Maximum Lot Coverage states that maximum lot coverage for all buildings and structures shall not exceed 35% of the total lot area.
7. That the proposed residential structure would be constructed 12 feet from the Primary/Secondary (east) property line.
8. That the proposed residential structure would be set back at a distance that is consistent with a structure on an adjacent lot.
9. That due to the size of the lot and additional requirements for a corner lot, construction without a variance would be difficult.
10. That under 35% of the total lot area will be covered with structures.
11. That none of the adjoining property owners objected to the proposed variance.
12. That due to the size of the lot and additional requirements for a corner lot, granting of the variance would be necessary.
13. That granting the proposed variance would not increase any safety exposure to the adjacent property owners.
14. That the Board of Adjustment takes into consideration each application on its own accord.
15. That ordinances have been approved and adopted to protect the De Smet residents and properties within the city limits.
16. That the current structure locations do not result from the applicant's action.
17. That the reasons set forth in the application justify approving a variance.

Based upon these findings, a motion was made by McCune, seconded by Cavanaugh, to recommend approval of the variance application #115 as submitted to Seth Wallen for Lynell Tande, for a new residential structure with attached garage, all voting aye, motion carried.

President Hansen declared the City Council back in session, all voting aye, motion carried.

VARIANCE: motion was made by McCune, seconded by Cavanaugh, to recommend approval of the variance application #115 as submitted to Seth Wallen for Lynell Tande, for a new residential structure with attached garage, all voting aye, motion carried.

BUILDING & DEMO PERMITS: Motion was made by McCune, seconded by Jensen, to approve the building permit applications submitted by Seth Wallen for Lynell Tande, for a new residence with attached garage, De Smet School District - concrete parking pad and sidewalk by the football field, De Smet School District - fence around the elementary grass play area and concrete driveway area, Shawn Wallen - garden shed

with the condition the garden shed must be placed on the lot with the residence within one year, and Blaine Beck - demo permit for residential structure all voting aye, motion carried.

FFA FUNDRAISER: Breyton Johnson, Logan Nielson, and Chase Temme met with the council to discuss using the small ball field for a bean bag tournament fundraiser during Old Settler Days, and a 5k Run/Walk fundraiser to be scheduled at the end of July. The fundraised money will be divided into three ways to help with the Blue Jacket Foundation, local blue jacket purchases, and scholarships. Motion was made by Cavanaugh, seconded by McCune, to approve the FFA local organization to use the small baseball field for the bean bag tournament on June 14, 2025, all voting aye, motion carried.

SIDEWALK ORDINANCE: A business owner inquired about a sidewalk ordinance after a customer was nearly hit by a person on a bicycle when leaving a business on Main Street. The current ordinance states bicycles are not to be ridden on any sidewalk. The Council discussed amending the current ordinance after an amended ordinance is drafted.

PUBLIC COMMENTS: None.

INFRASTRUCTURE, MAIN STREET & WATER TOWER PROJECTS: Karen Schaefer, Engineer for IMEG, met with the council to discuss the infrastructure projects, water tower, and Main Street project updates. Engineer Schaefer reported that Timmons Construction has moved off-site until after Bowes Construction is done with the paving of 2nd Street. Bowes has started the first layer of paving 2nd Street and will be back next week to work on the second layer of asphalt. Some concrete along 2nd Street has been removed and replaced to correct the sloping grade, and carriage walks to correct drainage. This is an error that the City will not be responsible for the cost to correct. The substantial completion date for the 2nd and Chase Street project areas is July 31, 2025. The council has received comments about the debris still in the boulevard areas of the project site. Ottertail has given a verbal estimate of \$9,600.00 to put the electric lines underground for the streetlights when the streetlights along the project area are put back in place. Ottertail would provide the lights, wire, and poles. Engineer Schaefer reported that the water tower pre-con meeting was held on April 30, 2025. Paint samples to check for lead paint were done and the results could be back by the end of the week. O&A Coatings plans to mobilize June 16, 2025. Due to potential wind and weather and effects on the containment system, O&A Coatings prefers to work seven days of the week. A temporary pressure tank will be used when the water tower work is being done. Customers may have lower water pressure during this time. Water Supt. Springer is working on Well #7 for additional water pumping. In the event of a fire, other area fire departments will be called in to assist. On Main Street, Halme, Inc. has materials on site and will begin hooking up temporary water lines next Wednesday. Halme, Inc has been in contact with some businesses about temporary water lines into the buildings. Temporary water lines in the alley will not be possible, so temporary water lines will need to be connected at the curb stop in front of the buildings. The signage company has removed all signs except for two. Change order #2 in the amount of \$39,700.00 for improvements to the First Street drainage was presented to the council. The closure of

Main Street will be after Memorial Day approximately. A dashboard link to be posted on the City website is being worked on for the Main Street Project.

UNDERGROUND ELECTRIC: Motion was made by Cavanaugh, seconded by McCune, to approve burying/boring the electric lines to the streetlights on 2nd Street in the amount of \$9,600, all voting aye, motion carried.

WATER TOWER NOTICE TO PROCEED: Motion was made by Cavanaugh, seconded by Jensen, to approve signing the Water Tower Painting Notice to Proceed, all voting aye, motion carried.

CHANGE ORDER #2: Motion was made by Cavanaugh, seconded by McCune, to approve Change Order #2 in the amount of \$39,700 for drainage improvements on First Street, all voting aye, motion carried.

EXECUTIVE SESSION: Motion was made by McCune, seconded by Jensen, to go into executive session to consult with the City Attorney 6:23 pm, all voting aye, motion carried. President Hansen declared the council out of executive session at 6:58 pm.

STREETS PICKUP: Motion was made by Spader, seconded by McCune, to approve purchasing a Ford F150 Crew cab pickup with approximately 81,500 miles in the amount of \$20,500.00 from O'Keefe Implement, all voting aye, motion carried.

OFFICIAL DEPOSITORIES/NEWSPAPER: Motion was made by Cavanaugh, seconded by Spader, 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 President 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 Alderman Committees as presented, approve appointment of Cindy Steffensen and Lynne Lee to the Library Board; and following individuals as Museum volunteers: Gale Anderson, Billie Baird, Dee Baker, Jeanie Colwell, Kathy Connell, Carmen Dannenbring, Deb Hafey, Barb Hansen, Jeff Hed, Roxene Helms, Sharry Knock, Kathy Ostrander, Suzanne Roeder, Sheila Smith, Mavis Stoel, LeAnn Stofferson, Will Ward, Candy Weller, and Safa Bendorf; 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, Shon Asleson, Nathaniel Bendorf, Mark Birkel, Rob Cleveland, Preston Collier, Dane Coughlin, Matt Currier, Curt Eichacker, Cameron Garry, Ryan Griffith, Nick Austin May, Dustin Mc Cune, Cole Munger, Tate Munger, Derek Sprang, Jason Springer, Jake Vincent, Darin Warne, Mikel Warne, Michael Warner, and Shawn Wolkow, all voting aye, motion carried.

Council member Coughlin left the meeting at this time.

MAIN STREET COMMITTEE UPDATES: Jamie Lancaster presenting for the Main Street Committee reported that there will be a community event on May 21, 2025, at the Event Center, at 5:30 PM to present the graphics and proposed amenities on Main Street. Amenities presented to the council included historic building plaques, narrative kiosks with building information, decorative poles, removable bollards, and movable planters. Parking concerns by a business owner were expressed and will be discussed with the engineer next week.

JUNE REGULAR COUNCIL MEETING: Motion was made by Cavanaugh, seconded by McCune, to approve moving the June regular council meeting to June 4, 2025, at 5:00 pm, at the Event Center, all voting aye, motion carried.

AERIAL SPRAYING PERMIT: Motion was made by Cavanaugh, seconded by Jensen, to approve the 2025 aerial spraying permit submitted by Fast Ag Air, all voting aye, motion carried.

EVENT CENTER/RECREATION: Event Center Director, Kristy Hubbard informed the council that activities and events at the Event Center are going smoothly; there will be two students helping around the Event Center this summer; seven lifeguards will be taking the WSI training; reviewed pool rates and comparisons with other area pools; and a Customer Service Seminar will be held at the Event Center on May 15, 2025.

PROJECT PAYMENTS: Motion was made by Spader, seconded by McCune, to approve the project pay requests IMEG, Calumet utility improvements, pay request 21005454.04-1 \$14,732.00; IMEG, Chase & 2nd Street sewer, pay request 22006268.03-6 \$9,570.00; Foerster Testing, 2nd & Chase Street concrete testing \$1,200.00; Halme, Inc., Calumet project \$84,884.61; Flatland, Chae & 2nd Street project \$144,558.00, all voting aye, motion carried.

DE SMET DEVELOPMENT CORPORATION: De Smet Development Coordinator, Jamie Lancaster, informed the council that the meat locker building is still progressing forward; the grant funding for additional Calumet Townhome units did not qualify by will be amended to meet the criteria; and that he would be resigning from his position as the De Smet Development Coordinator and will be moving later this year. Lancaster thanked the city council for their help. The Council thanked Lancaster for a great job and understanding with the public.

CONFERENCE: Motion was made by Cavanaugh, seconded by McCune, to approve FO Larson attending the HR and FO Annual Meeting, June 10 - 12, 2025, in Pierre, SD, all voting aye, motion carried.

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 Cavanaugh, to approve the April 2025 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) nuisance properties; and 3) golf carts.

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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