

REGULAR MEETING DE SMET COMMON COUNCIL
November 14, 2018

The De Smet Common Council met in regular session on November 14, 2018, at 5:00 p.m., with the following present: Don Bohn, Lowell Hansen, George Cavanaugh, Norman Whitaker, Jay Slater, Mayor Gary Wolkow, Finance Officer Tracey Larson, and City Attorney Todd Wilkinson. Absent: Alex Botkin.

Mayor Wolkow called the meeting to order at 5:00 PM.

ANNOUNCEMENTS: Mayor Wolkow relayed a thank you from Wade Hoefert to the person who donated the rental fee for use of the Event Center for the Hunter Safety Course.

MINUTES: Motion was made by Slater, seconded by Cavanaugh, to approve the minutes of the October 10, 2018 Regular Meeting, all voting aye, motion carried.

CLAIMS: Motion by Cavanaugh, seconded by Bohn, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$36,332.80; OASI Benefit 2,779.46; Aflac, ins. premium 371.76; Dearborn National, life insurance 140.80; Farm Bureau Bank, health savings 1,000.00; Delta Dental of South Dakota 457.52; VSP 208.85; Wellmark Blue Cross Blue Shield, health insurance premium 7,012.95; SDRS, retirement benefit 4,011.02; Postmaster, postage 43.40, Visa, travel & conference, utilities 208.94; Mediacom, utilities 47.91; American Bank & Trust, event center interest 870.00; Avid Hawk LLC, web site monthly fee 35.00; Bill Halverson, meter deposit refund 5.00; Brittani Wilkinson, deposit refund 30.00; Building Sprinkler, Inc., hospital repairs & maintenance 475.00; Butler Machinery Co., repairs & maintenance, supplies 1,162.55; Castlerock, concrete pad for bleachers 3,877.56; Center Point Large Print, library supplies 29.21; Century Link, utilities 478.93; City of De Smet, petty cash 82.10; City of De Smet, utilities 304.60; Cody Siver, meter deposit refund 75.00; Connecting Point, library repair and maintenance 145.00; Connecting Point, off-site backup fee 35.00; Cook's Wastepaper & Recycling, maintenance 235.00; Cook's Wastepaper & Recycling, residential garbage collection 6,212.11; Cowboy Country Store, fuel 644.51; De Smet Trustworthy, supplies 56.52; De Smet Trustworthy, library supplies 19.99; De Smet Welding & Machine, repairs & maintenance 130.84; Demco, library supplies 130.42; Dept. of Revenue, water labs 58.00; The De Smet News, publishing 314.23; The De Smet News; library supplies 75.00; Donna Muser Estate, meter deposit refund 75.00; Duane & Doris Poppen, meter deposit refund 25.00; Express Embroidery & Screen Print, supplies 312.01; Ferguson Waterworks, repairs & maintenance 261.69; Good Tidings Media & Design, marketing 513.60; Hawkins, Inc., chemicals 2,110.51; Heartland Paper Company, supplies 438.55; Horizon Health Care Inc., supplies 120.00; Jackie Griffith, deposit refund 30.00; James Valley Christian School, deposit refund 330.00; Jamie Forrest, deposit refund 30.00; Jennifer Anderson, deposit refund 275.00; Johnson Sand & Gravel,

detention pond digging, 1,101.60; Johnson Sand & Gravel, hauling pea rock 2,861.32; Karen Hansen, travel & conference 162.41; Kingsbury Electric Cooperative, repairs & maintenance 704.69; Kingsbury Electric Cooperative, repairs & maintenance 220.00; Kingsbury County Auditor, law enforcement contract 6,283.33; Kingsbury Co. Ducks Unlimited, deposit refund 275.00; Kingsbury Electric Cooperative, utilities 226.54; Kristopher Cook, deposit refund 30.00; Kristy Hubbard, travel & registration 110.18; Larry Jenkins, reimbursement for delinquent liquor bill 292.88; LIW PTO, supplies, 234.00; Mack Landscaping Lawn Irrigation, irrigation winterization, 230.00; Marlene Anderson, meter deposit refund 125.00; Maynard's, supplies 32.21; Mediacom, utilities 71.60; Merle Neu, repairs & maintenance 25.00; Micro Marketing LLC, library supplies 1,072.37; Midstate Agronomy, supplies 172.95; Nadine Tebeest, replacement check 75.00; Napa De Smet, repairs & maintenance 62.75; Northwestern, utilities 500.37; O'Keefe Implement, Inc., repairs & maintenance 149.85; Office Peeps, Inc., supplies 162.43; Ottertail, utilities 3,917.87; Postmaster, library supplies 21.00; Postmaster, supplies 175.00; Rapid City, Pierre & Eastern, streets rentals 69.56; Reader Service, library supplies 35.55; REED, debt service principal 1,448.41; REED, Inc., debt service principal 690.58; REED, Inc., debt service principal 2,500.00; Rich's Gas & Service, fuel, maintenance & repair 1,318.25; SD Dept. of Revenue, sales tax 264.40; SD Department of Revenue, sanitation sales tax 424.97; SD One Call, repairs & maintenance 31.36; Share Corp, chemicals 5,081.45; Sharon Wendel meter refund 125.00; Smith's Lumber, supplies 16.48; State of SD, utilities 9.93; Warne's Appliance, repairs & maintenance 116.99; Wipf Radiator Repair, repairs & maintenance 660.00; Woods Heating & Colling LLC, library repairs & maintenance 255.10; Zell Manufacturing, Inc., repairs & maintenance 210.00; Zep Sales & Service, supplies 216.49; Helms & Associates airport project engineering fees 15,154.71; Midland Contracting, Inc. airport project construction fees 98,695.40; Media Com, utilities 259.03; Visa, utilities & supplies 679.55.

2019 LIQUOR & WINE LICENSE & OPERATING AGREEMENT RENEWALS: This being the date and time advertised motion was made by Hansen, seconded by Whitaker, to reissue 2019 liquor licenses and three year operating agreements to the Main Stop (off-sale), Grumpy's Grill and Pub (on-sale), Dugout (on-sale), Wheaties (on-sale), Kingsbury Club House (on-sale), Oxbow Restaurant (on-sale wine & cider), Dollar General (on/off-sale wine & cider), and Maynard's (on/off-sale wine & cider) for the year 2019, all voting aye, motion carried.

SPECIAL LIQUOR LICENSES: The De Smet Volunteer Fire Department has requested a special liquor license for an event to be held at the De Smet Event Center on December 8, 2018 from 4:00 PM to 1:00 AM. Motion was made by Cavanaugh, seconded by Slater, to approve the special liquor license for the De Smet Volunteer Fire Department, for an event to be held at the De Smet Event Center on December 8, 2018 from 4:00 PM to 1:00 AM, all voting aye, motion carried.

LIQUOR BILL: An outstanding liquor bill from a former bar establishment in the amount of \$355.90 with Johnson Brothers was

presented to the council. It was explained to the council that the outstanding liquor bill in the amount of \$355.90 is attached to the liquor license number that is issued to the City. Johnson Brothers will not deliver liquor inventory to the new bar that currently operates with the transferred on-sale liquor license and another business that operates with the transferred off-sale liquor license until the delinquent bill is paid. There is a question on a credit invoice to the account that still needs to be explained by Johnson Brothers, and Attorney Wilkinson explained that a charge of \$25.00 could not be legally paid by the City. The new owner paid the outstanding bill in order to have inventory delivered to the businesses and is asking for reimbursement. Motion was made by Cavanaugh, seconded by Hansen, to approve payment in the amount of \$292.88 to Larry Jenkins for reimbursement of the outstanding liquor bill ensued by Alicia Springer Enterprises, LLC, all voting aye, motion carried.

ZONING: Motion was made by Slater, seconded by Whitaker, that the Council to be convened as the Board of Adjustment, all voted 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 #71 submitted by Bill Halverson, Halverson met with the board to discuss the variance application. Halverson has requested a variance due to an error identifying the lot line. Halverson has requested a variance that he be allowed to construct a 24' x 37' workshop/shed accessory building on the following legally described property: W25' of Lot 8, all of Lot 9, and the E2 of Lot 10, Hansen Meyer Addition Tract 2, and addressed as 208 1st Street NE, 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. Adjacent landowner, Tessa Flak, from the public appeared for discussion of the variance application. Flak stated that she was not going to object to the variance application. Flak inquired if there was a way to make sure the lot lines are properly located.

The location of the proposed construction was reviewed by Alderman Botkin. 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 W25' of Lot 8, all of Lot 9, and the E2 of Lot 10, Hansen Meyer Addition Tract 2, 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 adjacent properties to the South, East, and West are zoned "R-2 General Residential", and the adjacent property to the North is zoned "C-2 Commercial Industrial.
4. That the Area Regulations of the "R-2" zoning require a side yard set-back of six (6) feet from the property line.
5. That the proposed accessory building would be constructed three (3) feet from the side property line.
6. That none of the adjoining property owners objected to the proposed variance.
7. That granting the proposed variance would not increase any safety exposure to the adjacent property owners.
8. That the Board of Adjustment take into consideration each application on its own accord.
9. That ordinances have been approved and adopted to protect the De Smet residents and properties within the city limits.
10. That the reasons set forth in the application justify approving a variance.

Based upon these findings, a motion was made by Slater, seconded by Whitaker, to recommend approval of the variance application #71 as submitted to Bill Halverson, for a workshop/shed accessory building, all voting aye, motion carried.

Mayor Wolkow declared the council back in session.

Motion was made by Cavanaugh, seconded by Bohn to approve the recommendation from the Zoning Board of Adjustment to approve the Variance Application #71 submitted by Bill Halverson, all voting aye, motion carried.

BUILDING PERMITS: Motion was made by Cavanaugh, seconded by Whitaker, to approve the building permits to Lyle Signs for a 28' x 90' loading dock apron, sidewalk, and drainage slab, and to Jay Slater for a 14' x 16' garage, four voted aye, Slater abstained, motion carried.

AIRPORT: Michael Schmit, Engineer for Helms & Associates and Alan Aughenbaugh met with the council to discuss Aughenbaugh's inquiry to build a hangar adjacent to his current hangar at the De Smet airport. The proposed hangar would be the same size as Aughenbaugh's current hangar with a walkway between the two buildings. Schmit informed the council that the FAA wants hangars built on the apron area to be public hangars. Currently there are two private hangars that were built prior to this guideline. Schmit explained to the council that the current project in progress would be affected if Aughenbaugh is permitted to build another hangar on the apron. The current project includes replacing the concrete hardstand area with three tie downs. If the new hangar is permitted, an area of the concrete hardstand and one tie down would not be funded by the federal and state grant of 95% and would become the full financial responsibility of the city. The De Smet Airport Layout Plan (ALP) that identifies future development plans was recently approved by the FAA. The ALP would also need to be adjusted at a cost to the City. Projects have to be on the ALP in order to qualify for the federal and state grant funding. Zoning

requirements will also need to be considered to determine if the proposed hangar would fit the zoning requirements.

PUBLIC COMMENTS: None.

CREDIT/DEBIT CARD MACHINE: A one year merchant agreement with GovPayNet for a credit/debit card payment option was introduced to the council. GovPayNet would provide the credit/debit card equipment and provide training of the program to city staff. A fee of 2.65% would be charged to the customer to process the payment. The program would also allow customers another option to make their payment on-line using a link from the city web site. Motion was made by Slater, seconded by Cavanaugh, to approve the one year merchant agreement with GovPayNet for credit/debit card payment processing, all voting aye, motion carried.

STREET/RUS/AIRPORT: Ryan Petersen, Supt. of Streets, RUS, and Airport met with the council to inform them that the new pit at the Restricted Use Site will be started on Monday, November 26, 2018. Supt. Petersen was asked to obtain a quote for a sign listing the RUS disposal prices. Supt. Petersen presented a quote in the amount of \$320.00 to \$340.00 for one large sign or two smaller signs from Lyle Signs. Supt. Petersen gave an update on the status of the State Signage and Delineation Program that the City has been approved for. The State will replace the street signs on one corner of each intersection with a new street sign using the logo and color of the current street signs. Petersen also informed the council that he and FO Larson are working on updating lot rental rates for private hangars at the airport and has asked Kingsbury Electric for a quote to put electric meters on private hangars.

SURPLUS PROPERTY: Two pieces of equipment were appraised by three individuals and presented to the council as follows: 210 Case RC845 7ft. Rotary Mower \$1,000.00 with the PTO shaft and slip clutch included or \$300.00 without the PTO shaft and slip clutch; and 1995 Vibrating Packer \$200.00. Motion was made by Slater, seconded by Cavanaugh, to approve the appraisals for the 210 Case RC845 7ft. Rotary Mower \$1,000.00 with the PTO shaft and slip clutch included or \$300.00 without the PTO shaft and slip clutch; and 1995 Vibrating Packer \$200.00, all voting aye, motion carried. The rotary mower and vibrating packer will be advertised for sale and sealed bids will be opened at the regular council meeting on December 12, 2018. Motion was made by Cavanaugh, seconded by Whitaker, to approve declaring the following property as surplus property: three sets of metal bleachers to be sold, all voting aye, motion carried. Motion was made by Slater, seconded by Bohn, to appoint Marv McCune, Wes Clubb, and Bernie Stoel to appraise the three sets of bleacher, all voting aye, motion carried.

BOILER QUOTE: A quote to replace the boiler at the old city hall was presented to the council. The council would like more information about the current boiler and if the quote included removal of the old boiler. Motion was made by Slater, seconded by Bohn, to table discussion of the boiler quote until the December 12, 2018 regular council meeting, all voting aye, motion carried.

AIRPORT PAYMENTS: Motion was made by Hansen, seconded by Whitaker, to approve pay request #8 in the amounts of \$15,154.71 to Helms & Associates for planning, design, and engineering fees and pay request #2 in the amount of \$98,695.40 to Midland for construction work on the airport project, all voting aye, motion carried. These airport project expenses will be reimbursed by 95% from grant funding.

BASEBALL FIELD UPDATE: Council member, George Cavanaugh informed the council that they are still working on the lights for the baseball field.

DE SMET DEVELOPMENT COORDINATORS REPORT: Rita Anderson, De Smet Development Coordinator reported that a photo contest held over the last month had good participation. There were 240 photos entered in the contest and photos will be used in the De Smet Community Guide. The winner for the photo contest was drawn by Mayor Wolkow. Winner Ashely Schmidt won an Echo Spot. Anderson reported that postcards are being mailed for a Connect De Smet after-hours meeting to be held on January 23, 2019 at Dakotaland to encourage networking. Connect De Smet meetings will be held every other month at different business places. The De Smet Development Community meeting will be held on December 11, 2018 at 7:00 AM at the Oxbow.

FINANCIAL REPORTS: Motion was made by Hansen, seconded Cavanaugh, to approve the October 2018 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

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

OTHER: Other non-action items of discussion were as follows: 1) the October law enforcement report; 2) having the City Attorney update the current Alcoholic Beverages section of the ordinances; and 3) purchasing a garage for storage of the baseball/softball equipment.

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

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

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