

City of Gary, South Dakota  
Regular Council Meeting – Year End Meeting  
Tuesday, December 29, 2020 at 6:00 p.m. at Gary City Hall

The Gary City Council met in a regular session on Tuesday, December 29, 2020, at 6:00 p.m. in the Gary City Hall.

Aldermen Albert Bekaert, Clark Dessler, Joni Kjelden, David Peterson, John Jenson, and Darwyn Engesser were present. Mayor Albert Bekaert presided. Also present were David Vogt, Jason Anderson, Mike Nosbush and Shirley Pederson.

The Pledge of Allegiance was said.

Motion by Darwyn Engesser, second by Dessler to approve the agenda. All members voted aye, motion carried.

Motion by Darwyn Engesser, second by Dessler to approve the minutes of the December 7, 2020 regular meeting. All members voted aye, motion carried.

**GENERAL-DECEMBER 2020 BILLS**

Finance Office-2,639.12;Librarian-533.60;Streets/Parks-3,957.86;Water-892.01;Sewer-892.02;Council-2,800.00;AFLAC-Premium-318.88;Bjerke Sanitation-garbage collection-1,725.61;Brookings-Deuel Rural Water-559,000 gallons-1,414.80;City of Gary-water/community center-22.27;Clear Lake Courier-proceedings,notices-136.02;Code Enforcement Specialist-professional services-1,026.25;DENR-water distribution cert. fee-6.00;DENR-wastewater collection cert.renewal-6.00;DENR-wastwater fee-50.00;Deuel Co. Auditor-Law Enforcement-499.80;Deuel Co. Cenex-December fuel charges-551.39;EFTPS/FWT 941 Tax-FWT City-981.20;EFTPS/OASI/SS/MT-OASI-City-1,904.24;Gary Post Office-stamps-35.00;Gate City General-supplies-18.97;HD Electric-Cemetery electricity-36.50;Humana-health insurance-106.00;ITC-phone, internet,fax,alarm loop-85.14,Library-DSL,Static IP-46.45;Mike Nosbush-cell phone reimbursement-25.00;MN Dept of Revenue-4<sup>th</sup> quarter withholding-645.85;Mueller Co., LLC-EZ Reader annual maintenance-1,008.00;Office Peeps-supplies-48.20;Ottetail Power Co.-Electricity-963.87;SD Dept of Health-coliform test-15.00;SD Dept of Rev & Reg-garbage/landfill tax-181.72;SD Retirement - City-1,070.42;Star Laundry-uniforms-95.25;Unemployment Insurance-4<sup>th</sup> qtr. wage report-2.10;Wellmark BCBS-Insurance-7,307.44.

**LIQUOR-DECEMBER 2020 BILLS**

Municipal Liquor-10,203.89;AFLAC-Premium-403.95;Cash-Wa Dist.-food-577.13;Chesterman-pop-1,018.86;Christianson Plbg & Htg-liquor store remodel-5,302.20;City of Gary-water,sewer,garbage-234.61;Culligan-monthly rental-26.25;EFTPS/FWT 941 Tax-FWT-Bar-516.09;EFTPS/OASI/SS/MT -OASI-Bar-1,195.70;Ellwein Bros.-Beer-10,839.40;Fast Partitions-bar remodel-2,094.00;Gary Liquor Store-bad check write-offs-925.00;Gate City General-supplies/food-226.38;Harry's Frozen Foods-pizza-234.00;Henry's Foods-Cigarettes, food, supplies-2,219.05;ITC-Phone,DSL,TV-251.72;Johnson Bros.-Liquor,wine, wine coolers-6,728.18;Kaiser Welding-welding-50.00;Menards-supplies-353.56;Office of Child Support-garnishment-200.00;Old Dutch-chips-73.87;Ottetail-Electricity-440.42;Pepsi-Cola-pop-276.91;Pizza & Burger Shack-pizza-255.00;Porter Dist. Co.-Beer, wine coolers-1,938.80;Republic National Dist.-Liquor, wine/wine coolers-1,675.29;SD Dept of Revenue-liquor tax-3,232.45;SD Retirement-Bar-988.56;Southern Glazer's of SD-liquor-1,651.70;Star Laundry-towels,rugs-60.84;Stee Electric-wiring-1,190.57;Technicolor Screen Printing-tshirts & tumblers-3,088.51;Unemployment Ins.-4<sup>th</sup> qtr. wage report-2.07.

Motion by Dessler, second by Peterson to approve the verified claims and issue warrants in payment thereof. All members voted aye, motion carried.

There was no one present for public voice.

Employee, Committee, and ward reports were heard.

Buffalo Ridge Resort aka RJ Lotus Hospitality LLC would like to replace the current signs on 1<sup>st</sup> Avenue and the corner of Main Ave & Coteau St. with electronic signs. They will stand all the cost and will need to get permission from Thorpe's for replacing the sign on 1<sup>st</sup> Avenue. A building

permit will also be required. Motion by Darwyn Engesser, second by Kjelden to allow this. All members voted aye, motion carried.

Motion by Dessler, second by Peterson to adjourn as council and re-convene as the Board of Adjustments. All members voted aye, motion carried. David Vogt was present regarding the de-annexation of his property: OL G IN SUBDV (BLKS 15-20 & IN OL A-J), 17805 488 Ave, Gary, SD. There was no one present for the public hearing. Motion by Dessler, second by Jenson to adopt the following resolution:

**CITY OF GARY  
RESOLUTION No. 2020-10  
LAND EXCLUSION**

**WHEREAS**, the City Council, City of Gary, Deuel County, South Dakota, does not provide services to the following described real estate;

Sch: 19-4 S/T/R: 3 115 47 13.45 Acres GARY TOWN GARY OUTLOTS  
OL G IN SUBDV (BLKS 15-20 & IN OL A-J) TOWN OF GARY 17805 488 AVE

**WHEREAS**, the above described property is proper to be excluded from the City of Gary, and

**WHEREAS**, the Landowner consents to the Exclusion of the above described property from the City of Gary,

**THEREFORE, BE IT RESOLVED** that the following described property be excluded from the City of Gary;

Sch: 19-4 S/T/R: 3 115 47 13.45 Acres GARY TOWN GARY OUTLOTS  
OL G IN SUBDV (BLKS 15-20 & IN OL A-J) TOWN OF GARY 17805 488 AVE

Adopted by the Gary City Council this 29th Day of December, 2020 for immediate passage.

CITY OF GARY

(SEAL)

\_\_\_\_\_  
Albert Bekaert, Mayor

ATTEST:

\_\_\_\_\_  
Shirley Pederson, Finance Officer

This resolution will be filed with the Register of Deeds Office and mapping boundaries will be changed as well. All members voted aye, motion carried.

Council adjourned as Board of Adjustments and re-convened as City Council.

Notice was received from BDRW that they are raising their rates. Motion by Dessler, second by Jenson to raise the water rates by .25/1000 gallons. Sewer rates will remain the same. An Ordinance will be presented at the next meeting reflecting this change. All members voted aye, motion carried.

Joni Kjelden was appointed to represent the City of Gary on the Pre-disaster Mitigation Planning Team.

Pat Sears has requested to put a grain bin/gazebo on his property at 1201 Summit St. The council said he would need to get permission from the adjacent landowners and purchase a building permit to do this.

Motion by Dessler, second by Jenson to declare DNB National Bank of Gary and Clear Lake the 2021 official bank depository and to declare the Clear Lake Courier as the legal newspaper for the City of Gary for 2021. All members voted aye, motion carried.

Motion by Dessler, second by Darwyn Engesser to pass and adopt the following Resolution #2020-11, 2020 Contingency Transfer:

**CITY OF GARY  
RESOLUTION 2020-11  
2020 CONTINGENCY TRANSFER  
TRANSFER OF CONTINGENCY FUNDS TO GENERAL FUND DEPARTMENTS**

**WHEREAS**, the following departments within the General Fund could be over expended for the year 2020;

**NOW THEREFORE**, BE IT RESOLVED that the City Council of Gary, South Dakota transfers the remaining \$23,000.00 available in contingency funds in the following manner:

General Fund – 101

41210 – Mayor/Council - \$8,000.00

41920 – General Government Buildings - \$15,000.00

Total: \$23,000.00

Adopted by the Gary City Council this 29th Day of December, 2020 for immediate passage:

CITY OF GARY

(seal)

\_\_\_\_\_  
Albert Bekaert, Mayor

ATTEST

\_\_\_\_\_  
Shirley Pederson, Finance Officer

All members voted aye, motion carried.

Motion by Darwyn Engesser, second by Jenson to transfer the 2020 ending balances in the Video Lottery and Liquor Funds to the General Fund. Amounts to be determined when all 2020 transactions are complete. All members voted aye, motion carried.

Motion by Kjelden, second by Peterson to write off 4 bad checks that the liquor store was unable to collect for from 2019. This was suggested by the City auditor. The 4 checks total \$925.00. All members voted aye, motion carried.

Motion by Kjelden, second by Jenson to pass and adopt the following Resolution #2021-01:

**RESOLUTION 2021-01**

**BE IT RESOLVED BY** The City Council of the City of Gary, South Dakota:

**WHEREAS**, The City Council must establish and publish salaries of all officers and employees in the minutes of the first meeting of the beginning of the fiscal year under section of (SDCL 6-1-10).

Michael Nosbush – Utilities Manager - \$4,082.00 per month, 23.55/hour and attend meetings

Jason Anderson – Utilities Manager - \$17.50 per hour

Shirley Pederson – Finance Officer - \$22.15 per hour

Albert Bekaert -Mayor - \$200 per regular meeting

Alderwoman - Joni Kjelden, Aldermen - Albert Bekaert, John Jenson, Darwyn Engesser, Clark

Dessler, and David Peterson - \$100 per regular meeting

Mayor, Aldermen, and Finance Officer - \$50 per special meeting

Vera Meyer – Librarian - \$11.85 per hour

Marion Denekamp – part-time internal control - \$21.32

David Peterson - Part time Landfill Operator - \$12.73 per hour

Maita Mueller - Janitor/bathrooms@City park, ball fields, cemetery, golf course, Community Center - \$12.32 per hour  
Robin Lanners - Liquor Store Manager - \$19.39 per hour  
Rachel Hinsvark - Full time Liquor Store Employee - \$14.44 per hour  
Dan Roth - Full time Liquor Store Employee - \$11.50 per hour  
Chad Giese - Part time Liquor Store Employee - \$10.56  
Cheri Vorthmann, Eric Hansen - Part time Liquor Store Employees - \$9.98  
Carmen Kellen – Part-time Liquor Store Employee - \$8.90  
Scott Moeller – Part-time Liquor Store Employee - \$8.73  
Billie Jo Baer, Tammy Odette - Part time Liquor Store employees - \$8.32  
Eric Hansen - Liquor Store cleaning personnel - \$12.32 per hour  
Part time Liquor Store employees (New Hires) - \$8.07  
Common Labor - \$9.45 per hour  
City Attorney - \$150.00 per hour  
Deuel County Auditor - Law Enforcement - \$506.94 per month, \$6,083.28 annually.  
Mileage: State rate (currently @ 42 cents per mile) for out-of-town meetings/workshops  
Golf Course Fees - Family Membership - \$100, Single Membership - \$75, Daily - \$10  
**Addendum:** Finance Officer Authorization – State law allows the council to pre-approve expenditures for vendors they have service contracts with (some liquor store vendors) to prevent late fees, and approve recurring payment items such as health insurance, payroll and its corresponding liabilities for an amount not to exceed \$7,500.00. Motion by Kjelden to approve the Finance Officer authorization to pay bills in a timely manner, second by Jenson. Motion carried.

Resolution passed and adopted this 29th day of December, 2020.

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Albert Bekaert, Mayor

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Shirley Pederson, Finance Officer

All members voted aye, motion carried.

The City Christmas party will be catered by Rob’s Catering on January 10, 2021 at the 109 Club.

In other discussion council terms expiring in 2021 were mentioned. Terms that will be up for re-election are: Mayor (currently being filled by President, Albert Bekaert, 1 year term, Albert Bekaert, Ward I, 2 year term, David Peterson, Ward II, 2 year term, and John Jenson, Ward III, 2 year term. Mike also discussed with the council that he is hoping to stay on with the city through the end of summer.

The next regular council meeting will be Monday, February 1, 2021, at 6:00 p.m. at the Gary City Hall.

Motion to adjourn by Darwyn Engesser, second by Dessler. All members voted aye, motion carried.

City Council, City of Gary

Shirley Pederson, Finance Officer

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