

City of Gary, South Dakota
Regular Council Meeting –
Monday, September 7, 2020 at 7:30 p.m. at Gary City Hall

The Gary City Council met in a regular session on Monday, September 7, 2020, at 7:30 p.m. in the City Hall. Aldermen Albert Bekaert, Clark Dessler, Darwyn Engesser, and David Peterson were present. Joni Kjelden was present by phone and John Jenson was absent. Present also were Tammy Odette, Carol Barger, Carol Stebor, Claudette Bagan, Toshua Krantz, Calvin Musch, Cheryl & Larry Giese, Ron & Barb Stangeland, David & Jodi Mercer Mike Nosbush, and Shirley Pederson.

The Pledge of Allegiance was said.

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

Motion by Dessler, second by Peterson to approve the minutes of the August 3, 2020 regular meeting.

All members voted aye, motion carried.

GENERAL-AUGUST 2020 BILLS

Finance Office-1,885.72;Librarian-620.60;Streets/Parks-5,446.90;Water-1,093.07;Sewer-1,093.05;Rubble-Site-99.84;Cemetery-306.00;AFLAC-Premium-324.08;Bjerke Sanitation-garbage collection-1,748.26,Blue Tarp Financial-supplies-23.33;Brookings-Deuel Rural Water-697,000 gallons-1,718.40;City of Gary-water/fire hall-25.06;Clear Lake Courier-proceedings,notices-173.89;Code Enforcement Specialist-professional services-384.70;Community Club-donation towards fireworks-1,000.00;Deuel Co. Auditor-Law enforcement-499.80;DC Farmer's Union-monthly fuel charges-680.91;Doug's Service & Marine-supplies-62.29;EFTPS/FWT 941 Tax-FWT Bar-385.42, City-1,115.80=1,501.22; EFTPS/OASI/ SS/MT-OASI-Bar-1,005.40, City-1,707.44=2,712.84;Gary Post Office-stamps-35.00;Gate City General-supplies-19.68;GovOffice-annual fee-570.00;HD Electric-Cemetery electricity-36.63;Humana-health insurance-106.00;ITC-phone, internet,fax,alarm loop-86.69,Library-DSL,Static IP-46.45;Joni Kjelden-Elected Officials Workshop-281.72;Kibble Equipment-supplies-6.16;Maita Mueller-August mileage-9.45;Mike Nosbush-cell phone reimbursement-25.00;Office of Child Support-garnishment-200.00;Ottetail Power Co.-Electricity-791.01;Rock N Gravel-crushed gravel-480.00;Ron's Saw Sales-supplies-114.29;SD Dept of Health-coliform test-15.00;SD Retirement-Bar-858.58, City-1,311.68=2,170.26;SD Assoc of Rural Water-water & sewer mapping-2,600.00;SD State Treasure-garbage/landfill tax-208.03;Star Laundry-Uniforms-76.20;Tour De Kids-donation-200.00;VanDiest Supply Co.-mosquito spray-1,049.50;Wellmark BCBS-Insurance-7,864.56.

LIQUOR-AUGUST 2020 BILLS

Municipal Liquor-8,958.45;AFLAC-Premium-403.95;Buffalo Ridge Concrete-22 yds concrete-2,772.00;Cash-Wa Distributing-food/supplies-762.57;Chesterman-Pop-652.30;City of Gary-water,sewer,garbage-174.22;Culligan-monthly service-26.25;Ellwein Bros.-Beer-9,897.45;Gate City General-supplies/food-212.23;Harry's Frozen Foods-pizza-577.50;Hendricks Farmers Lunber-materials-5,498.07;Henry's Foods-Cigarettes, food, supplies-2,965.86;ITC-Phone,DSL,TV-245.51;Johnson Bros.-Liquor,wine, wine coolers-2,293.29;Menards-supplies-56.35;Old Dutch Foods-Chips-64.74;Ottetail-Electricity-624.21;Outlaw Entertainment-8/22/2020 DJ-325.00;Pepsi-Cola-pop-173.76;Pizza & Burger Shack-pizza-527.00;Porter Dist. Co.-Beer, wine coolers-1,510.00;R & L Splicing-boring-3,061.23;Republic National Dist.-Liquor, wine/wine coolers-1,132.75;Robin Lanners-food-17.04;SD Dept of Revenue-liquor tax-2,765.43;Southern Glaziers of SD-liquor-1,720.25;Star Laundry-towels, rugs-64.08;Stee Electric-wiring-3,637.11;Technicolor Screen Printing-40.89.

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 citizen input/public voice.

Employee, committee, and ward reports were heard.

At the last meeting Jeff Engesser resigned as Mayor. This left the position open and there were some options as how to handle this. The council could either appoint anyone in the city, they could appoint any council member, which would cause their council seat to be vacant and they could then appoint someone to fill that vacancy, or they could do nothing and then the

President automatically becomes acting Mayor until the next election. He would still retain his vote as a council member, but there would be no veto or tie vote. Motion by Dessler, second by Darwyn Engesser to accept the resignation of Jeff Engesser as Mayor and to not appoint anyone to fill the position, but to have Albert Bekaert, President automatically become the acting Mayor until the next election. A new signature card will need to be signed at the bank by Albert Bekaert, Acting Mayor & President, Clark Dessler, Vice President, and Shirley Pederson, Finance Officer. All members voted aye, motion carried.

A Public Hearing was held on a proposed variance filed by David Mercer. The variance would relax the alley set-back requirements from 10' to 4' to build a house on his property at 3rd Railroad Addition, Block 11, Lots 9 & 10, Town of Gary, South Dakota. After some discussion from adjacent land owners, motion was made by Darwyn Engesser, second by Dessler to approve the variance. All members voted aye, motion carried.

Tammy Odette was present to confirm that the Tour De Kids Organization had applied for and received their 501-3C from the IRS and they are now an official non-profit organization. The council had stated at a previous meeting that they would donate to their bike-a-thon when this status was received. Motion by Dessler, second by Peterson to donate \$200 to their cause. All members voted aye, motion carried.

Second reading of the 2021 Appropriation Ordinance #369 was held. Motion by Kjelden, second by Darwyn Engesser to adopt the following 2021 Appropriation Ordinance #369:

CITY OF GARY
 Gary, South Dakota
ORDINANCE NO. 369
2021 APPROPRIATION ORDINANCE

BE IT ORDAINED BY THE City of Gary, South Dakota, that the following sums are appropriated to meet the obligations of the municipality:

SECTION I:

GENERAL FUND APPROPRIATIONS (TAX SUPPORTED FUNDS)

411.5	Contingency	40,000.00
411.3	Publishing	3,000.00
412.1	Mayor – Council	22,000.00
413.1	Elections	500.00
414.1	Attorney	4,000.00
414.2	Finance Officer & Supplies, Bond	40,000.00
419.2	General Government Buildings/Insurance	35,000.00
421	Law Enforcement	7,000.00
422.9	Fire Department	5,000.00
431	Highways, Streets & Alleys	80,000.00
431.7	Snow Removal	4,000.00
431.6	Street Lighting	7,500.00
432.4	Restricted Use Site	2,000.00
437	Cemeteries	2,500.00
441.3	West Nile	2,000.00
451.1	Golf	3,000.00
452	Parks	34,400.00
452.4	Tree City USA Tree Board	3,000.00
455	Library	10,000.00
465.13	Gary Fire Dept. (truck payment)	15,000.00
465.2	Planning & Zoning	100.00
465.3	Promoting City	<u>10,000.00</u>
	TOTAL GENERAL FUND APPROPRIATIONS	\$ 330,000.00

ENTERPRISE FUNDS (Self-supporting funds)		
601	Liquor	\$490,000.00
602	Water	40,000.00
604	Sewer	35,000.00
612	Solid Waste (Garbage Collection)	<u>25,000.00</u>
TOTAL ENTERPRISE FUNDS		<u>\$590,000.00</u>
TOTAL 2021 APPROPRIATIONS		\$920,000.00

CITY OF GARY
Gary, South Dakota
2021 APPROPRIATIONS ORDINANCE NO 369

SECTION II:

The following is a summary by fund of the appropriated amounts and the means of financing them:

Tax Supported Funds	<u>General</u>
Appropriation:	\$330,000.00
Means of Finance:	
Unassigned Fund Balance	.00
310. Taxes	
311 General Property	53,000.00
313 Sales Tax	52,000.00
315-319 Other	5,000.00
320 Licenses/Permits	6,000.00
334 State Grant	8,000.00
335 State Shared Revenue	35,000.00
338 County Shared	12,000.00
340 Charges for goods & services	5,000.00
360 Miscellaneous Income	9,000.00
Transfer from Liquor	50,000.00
Transfer (From Video Lottery)	100,000.00
Transfer from sewer fund	0.00
TOTAL MEANS OF FINANCE	\$335,000.00
Less 2021 Appropriation	<u>-330,000.00</u>
Estimated Un-obligated Cash Balance	\$ 5,000.00

SELF SUPPORTING FUNDS	VIDEO LOTTERY	LIQUOR	WATER	SEWER	SOLID WASTE
Est. Unencumbered Balance		28,000.00	81,000.00	145,000.00	2,000.00
Estimated Revenue	+ 100,000.00	+540,000.00	+40,000.00	+35,000.00	+25,000.00
TOTAL BALANCE & REVENUE	100,000.00	568,000.00	121,000.00	180,000.00	27,000.00
Less 2021 Appropriation		-490,000.00	-40,000.00	-35,000.00	-25,000.00
Less transfer to General	-100,000.00	- 50,000.00	.00	-30,000.00	.00
CASH SURPLUS RETAINED	.00	28,000.00	81,000.00	115,000.00	2,000.00

SECTION III: The Finance Officer is directed to certify the tax levy for 2021 made in this Ordinance to the County Auditor. **General Fund: 2021 General Tax Levy \$53,000.00**

ATTEST: _____

Shirley Pederson, Finance Officer

Albert Bekaert, Acting Mayor
& President

First Reading: August 3, 2020
Second Reading and Adopted: September 7, 2020

Published: September 16, 2020
Effective: January 1, 2021

Published once at the total approximate cost of \$
All members voted yes, motion carried.

At the June council meeting the Fire Department was present and stated they were going to apply for a grant to purchase bunker gear. Because their bylaws didn't meet the requirements, they asked if they could run the grant through the city. The council approved, but never actually voted on it. Motion by Kjelden, second by Darwyn Engesser to apply for the grant for the Fire Department to purchase bunker gear. All members voted aye, motion carried.

Motion by Dessler, second by Peterson to approve and have the Acting Mayor sign the new law enforcement agreement for 2021 with Deuel County. All members voted aye, motion carried.

Special assessments for mowing abandoned property were discussed. Motion by Dessler, second by Darwyn Engesser to attempt to collect cost of city mowing the property by sending certified letters along with a bill to the property owner. If not paid within a certain time period, the cost of mowing will be sent to the county and assessed to the individual's taxes. They also made the motion to adopt the following resolution which addresses this special assessment:

CITY OF GARY

RESOLUTION No. 2020-07

WHEREAS, the City Council, City of Gary, Deuel County, South Dakota, will put a special assessment against property as hereinafter set out for the collection of outstanding bills which includes the expenses of levying such special assessment against the said properties:

Property: Lots 1 to 4 Inc. Blk 12, Third Railroad Addition, Town of Gary

Amount: \$800.00 mowing

Property: Lots 15-16-17, Block 6, Original Plat, Town of Gary

Amount: \$300.00 mowing

Property: Lot 8, Block 8, Second Railroad Addition, Town of Gary

Amount: \$300.00 mowing

Property: Lot 7 and S1/2 Lot 8, Block 2, Harris 2nd Addition, Town of Gary

Amount: \$200.00 mowing

THEREFORE, BE IT RESOLVED that the City Council of the City of Gary, Deuel County, South Dakota hereby authorizes the Finance Officer to file special assessments against this property at the Deuel County Auditor's Office for outstanding bills.

Dated this 7th day of September, 2020.

Voted: Aye 5 Nay 0 Absent: 1

CITY OF GARY

(SEAL)

Albert Bekaert, Acting Mayor

ATTEST:

Shirley Pederson, Finance Officer

All members voted aye, motion carried.

Motion by Darwyn Engesser, second by Dessler to renew the CD's at Deuel National Bank for 12 months at a rate of .25% APY. Interest to be paid by check at maturity. All members voted aye, motion carried.

Motion by Dessler, second by Darwyn Engesser to go into executive session at 8:18 P.M. for personnel reasons. Acting Mayor, Bekaert, declared council out of executive session at 8:25 P.M.

Motion by Dessler, second by Darwyn Engesser to hire Billie Jo Baer as a part-time bartender at \$8.07/hour. Wage to be re-visited after 30 days. All members voted aye, motion carried.

In other discussion ordering PPE for COVID-19 was talked about. More discussion will take place at the October meeting.

The next regular council meeting will be Monday, October 5, 2020, at 7:30 p.m. at the Gary City Hall.

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

City Council, City of Gary

Shirley Pederson, Finance Officer

Published September 16, 2020

Published once at the total approximate cost of \$