

City of Gary, South Dakota
Joint Hearing-Planning Commission & Gary City Council
Monday, October 3, 2022 at 7:30 pm at Gary City Hall

The Gary City Council met in a joint hearing on Monday, October 3, 2022, at 7:30 pm in the City Hall. Aldermen Darwyn Engesser, Mike Nosbush, Jeff Nordseth, Joey Gislason, Bob Stee and Albert Bekaert were present. Mayor Larry Stoks presided. Present also were Mel Borg, Darren Engesser, Johanna Wyman, Sharon Kloos, Jeff Engesser, Marlene Andrews, Perry Andrews, Bob Kloos, Jodie Engesser, Sara Guest, Carol Stebor, Carol Barger, Brady Nosbush, Angel Oeltjenbruns, Jacky Kloos, Sheila Monnier, Mary Nosbush, Neil Schmacher, Claudette Bagan, Reed Mahlke, Sheriff Cory Borg, Jason Anderson and Joni Kjelden.

The Pledge of Allegiance was said.

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

Motion by Nosbush, second by Engesser to approve the minutes of the September 12th, 2022 meeting.

All members voted aye; motion carried.

GENERAL-SEPTEMBER 2022 BILLS

Finance Office-;1,777.04;Library-599.18;Streets/Parks-4,817.39;Water-796.51;Sewer-796.52;Restricted Use Site-19.08;Cemetery-606.19;Golf-60.99;Council-3rd quarter-2,960.40;AFLAC-September premium-149.43;AT&T-data connect-43.23;Bjerke Sanitation-garbage-2,273.86;BDRW-714,000 gallons-1,994.30;Canby Auto Parts-oil,filters-161.28;City of Gary-water,sewer,garbage-52.10;Clear Lake Courier-proceedings,notices-278.99;Deuel Co. Auditor-Law Enforcement-517.65;DC Farmer's Union-monthly fuel charges-1,730.22;EFTPS/FWT 941 Tax-FWT-588.33,OASI-1,659.64;Gary Post Office-stamps-44.00;Gate City Development-funds for Grand Blvd-5,000.00;HD Electric-cemetery-36.50;ITC-phone,internet,fax,alarm loop-95.31,Library-DSL,Static IP-46.45;Jason Anderson-cell phone-25.00;Robert Jensen-water deposit refund-80.00;Menards-supplies-29.37;MN Dept of Revenue-3rd quarter withholding-788.44;Office of Child Support-garnishment-200.00;Office Peeps-toner-187.99;Ottetail Power Co.-electricity-863.70;Rausch Granite Monument-bronze tab-400.00;Rock N' Gravel-gravel-583.95;SD Dept of Health-coliform test-15.00;SDML-annual fall conference-100.00;SD Retirement-September contribution-685.20;Star Laundry-Uniforms-82.00;Titan Machinery-disc blade mower-280.00;Unemployment Insurance-3rd qtr-24.83;Wellmark BCBS-October Premium-1,330.62.

LIQUOR-SEPTEMBER 2022 BILLS

Municipal Liquor-15,243.17;AFLAC-September premium-403.95;Cash-Wa Distributing-food/supplies-886.21;Chesterman-Pop-938.70;Culligan Water-monthly rental-27.50;City of Gary-water,sewer,garbage-202.10;EFTPS/FWT 941 Tax-FWT-506.45,OASI-1,321.42;Ellwein Bros.-beer-10,215.20;First Bank & Trust-credit card-supplies-246.89;Gate City General-supplies/food-126.99;Harry's Frozen Foods-pizza-1,306.50;Henry's Foods-tobacco, food, supplies-4,311.70;ITC-Phone,DSL,TV-245.71;Johnson Bros.-liquor/wine-3,142.75;Old Dutch-chips-96.72;Ottetail-electricity-771.08;Pepsi Cola-Pop-157.95;Pizza & Burger Shack-pizza-648.00;Porter Dist.Co.-beer/wine-1,608.35;Republic National Dist.-Liquor,wine/coolers-2,132.80;Robin Lanners-cell phone-25.00;SD Dept of Revenue-liquor tax-4,749.73;SD Retirement-September contribution-966.98;Southern Glazers-liquor-1,372.28;Star Laundry-towels,rugs-93.73;Unemployment Insurance-3rd qtr24.84;Wellmark BCBS-October premium-3,991.91.

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

During public input Mary Nosbush spoke to Attorney Reed Mahlke about a list of guidelines that have been posted in the City Hall. Jacky Kloos asked about a liability form for grinding a stump by her property. Angel Oeltjenbruns gave suggestions regarding public input to give the public more of a voice.

Employee contributions, committee reports, and ward reports were heard.

Darren Engesser was present to ask if the council has decided on approving his plans for lodging at his property. No action was taken at this time.

Motion by Engesser, second by Stee to convene jointly as Board of Adjustment. All members voted aye; motion carried. A public hearing was held for a variance request by Brady Nosbush to relax the alley side setback to allow an addition on his garage. With no public concern a motion by Bekaert, second by Engesser to approve the request. Engesser, aye; Nosbush, abstain; Nordseth, aye; Gislason, aye; Stee, aye; Bekaert, aye; motion carried. Motion by Stee, second by Gislason to adjourn as Board of Adjustment and convene only as city council. Motion carried.

Sheila Monnier, Deuel County Emergency Manager presented the Pre-Disaster Mitigation Plan for Deuel County. She has many resources if anyone has questions regarding the preparation for a disaster.

Claudette Bagan expressed her concern with children under 18 being in the city park after dark. Prices for a sign with wording from the curfew ordinance will be checked in to be placed at the park.

A written complaint against the property at 529 Second Ave was heard. Motion by Stee, second by Gislason to proceed with enforcing the Ordinances related to animals and property code enforcement. All members voted aye; motion carried.

Mary Nosbush spoke on behalf of the City Tree Board about a grant they are applying for. The board met with Service Forester, Hunter Pecard who gave them information regarding the grant, kinds of trees to plant and maintenance of the trees.

Motion by Bekaert, second by Stee to purchase a table for \$400 at the Tour of Tables event that is organized by the Deuel County Community Foundation. The foundation has awarded grants to the Gary Fire Dept, Gary City Tree Board and Gary Givers. All members voted aye; motion carried.

Motion by Stee, second by Nosbush to pre-pay Minn-Kota for monthly services at the liquor store and issue a special temporary liquor license at the American Legion Ballroom on Thursday October 6, 13, 20, 27, 2022 at E 24' of Lot 11 all of Lots 12,13,14 in Block 1, Original Plat, City of Gary, SD. On sale only. All members voted aye; motion carried.

Motion by Engesser, second by Nosbush to issue a special temporary liquor license to the American Legion Ballroom on October 15 & 22, 2022 at E 24' of Lot 11 all of Lots 12,13,14 in Block 1, Original Plat, City of Gary, SD. On sale only. Engesser, aye; Nosbush, aye; Nordseth, aye; Gislason, aye; Stee, aye; Bekaert, abstain; motion carried.

The 2023 Liquor Operating Agreements with RJ Lotus Hospitality, LLC and the 109 Club were reviewed. Motion by Nosbush, second by Stee to leave the agreements the same as last year. All members voted aye; motion carried.

Renewal of the 2023 Liquor and Wine License for the Municipal Liquor Store, the 109 Club and RJ Lotus Hospitality, LLC was approved with a motion by Engesser, second by Nordseth. All members voted aye; motion carried.

Prices for a sander for the dump truck had been discussed. Purchasing a stainless-steel sander before winter was approved with a motion by Engesser, second by Nosbush. All members voted aye; motion carried.

Motion by Nosbush, second by Stee to apply for the State Water Plan, if accepted that will allow the city to apply for grants to help with costs of sewer and water projects in the future. All members voted aye; motion carried.

Renting an excavator to clean up the pile at the restricted use site was discussed. Jason will get information on rentals and use his discretion to proceed with the cleanup.

Building permits issued: Mike Nosbush & Brady Nosbush

Motion by Stee, second by Engesser to go into executive session for personnel matter at 8:58 pm. All members voted aye; motion carried. Mayor declared out at 9:11 pm.

Other discussion brought the topic of the restricted use site being open later in the season if weather permits after November 1st, the mayor will be in contact with the attendant at the restricted use site to determine if it will be open.

Next regular meeting will be Monday, November 7, 2022 at 6:30 pm.

Motion by Engesser, second by Stee to adjourn. All members voted aye; motion carried.

City Council, City of Gary

Joni Kjelden, Finance Officer

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