

City of Gary, South Dakota
Joint Meeting- Planning and Zoning & Gary City Council
Monday July 7, 2025 at 7:30 pm at Gary City Hall

The Gary City Council met in joint session on July 7, 2025, at 7:30 pm in the City Hall. The Pledge of Allegiance was said. Mayor Larry Stoks presided. Aldermen Darwyn Engesser, Mike Nosbush, Jay Grabow, Doug Nelson, Jessica Christians, and Neil Schumacher were present. Present also were Joni Kjelden, Austin Crocker, Gary Hudiburgh, Stuart Storlien, Albert Bekaert, Amy Knutson, Jen Pederson, Mike Hinsvark, & Mel Borg.

Motion by Nosbush, second by Grabow to approve the agenda as written. All voting aye; carried.

Motion by Grabow, second by Engesser to approve the minutes of the June 2, 2025 meeting. All voting aye; carried.

General- June 2025- Bills

Finance Office-2,207.43;Streets-2,595.30;Fire Dept-71.25;RUS-185.13;Cemetery-1,534.21;Golf-1,311.64;Parks-2,221.78;Library-691.13;Water-1,372.17;Sewer-1,372.18;Council-3,450.00;Aflac-May premium-165.64;American Legion Aux-girls summer ball program-1,500.00;American Legion Post 109-boys summer ball program-1,500.00;American Legion State Headquarters-20 3x5 flags-600.00;AT&A-data connect-44.18;Austin Crocker-cell phone-25.00;Banyon Data Systems-UB meter support-395.00;Bjerke Sanitation-garbage-2,353.51;BDRW-561,000 gallons-1,913.00;City of Gary-water,sewer,garbage-firehall-77.23,garbage-city hall-17.00;Clear Lake Courier-city notices/proceedings-82.40;Core & Main-valves pond repair-15,173.00;Dakota Portable Toilets-July 3-6, 6 toilets-610.00;DCFU-fuel charges-2,710.35;DCSO-law enforcement-588.33;DC Treasurer-license plates-26.70;Dustin Blum-city park roof repair-3,320.00;EFTPS/941 Tax-FWT-786.14,OASI-2,708.90;First Bank & Trust-credit card payment-110.00;Fritz Chevrolet-2025 chevy Silverado-49,103.11;Gary Liquor Store-door prize Fo school-20.00;Gary PO-stamps-56.00;Gate City General-supplies-110.97;Grease Monkey Truck-2 tires, labor mount-dump truck-1,255.22;HD Electric-cemetery electricity-40.86;Helsper, McCarty & Rasmussen, PC-May atty fees-3,675.00;Hendricks Farmers Lumber-garbage can-139.99;ITC-phone,internet,fax,alarm loop-99.60;Library-DSL,static IP-53.45;Joni Kjelden-458 miles @ .655, meal reimburse-319.99;Menards-supplies-53.64;MN Dept of Rev-2nd qtr-495.55;Ottetail Power-electricity-968.30;Runnings-supplies-911.98;SD Public Health Labs-coliform test-15.00;SDR-June contribution-1,291.72;SD Dept of Rev-garbage/landfill tax-274.85;SD Dept of Labor-2nd qtr. re-employment-13.31;Sun Life-June premium-465.00;Wellmark BCBS-July premium-2,640.66.

Liquor- June 2025- Bills

Liquor-12,272.17;Aflac-May premium-358.83;Blue Sky Security-security camera-895.00;Cask & Cork-beer/liquor-1,068.00;Chesterman-pop-1,211.55;City of Gary-water,sewer,garbage-196.38;EFTPS/941 Tax-FWT-546.12,OASI-1,562.38;Ellwein Bros-beer-17,562.20;First Bank and Trust-credit card payment-512.84;Gary Liquor Store-open juke box-50.00;Harry's Pizza-pizza-601.50;Henry's Foods-tobacco, food, supplies-3,177.54;ITC-phone, DSL, TV-251.13;Jaded Band-June 6 entertainment-500.00;Jim Dandy-jerky-180.00;Johnson Bros-liquor-3,435.53;Nosbush Plbg & Htg-water softener rent-42.00;Old Dutch Foods-chips-176.34;Ottetail Power-electricity-624.53;Pepsi-Cola-pop-592.26;Pizza & Burger Shack-pizza-216.00;Porter Dist-beer,wine/coolers-1,623.60;Republic National Dist-liquor-1,628.77;Robin Lanners-cell phone-25.00;SD Dept of Rev-liquor sales tax-3,208.32;SDR-June contribution-1,148.88;Southern Glazers-liquor-1,338.60;Star Laundry-towels, rugs-94.38;SD Dept of Labor-2nd qt re-employment-6.66;The Broken Oak-June 20 entertainment-350.00;Vib Entertainment-June 27 entertainment-350.00;Wellmark BCBS-July premium-3,395.13.

Wastewater- June 2025 Bills

Helms & Associates-engineer improvement design-12,647.50;Meierhenry Sargent LLP-bond counsel-20,158.00.

Motion by Engesser, second by Nosbush to approve the verified claims and issue warrants in payment thereof. All voting aye; carried.

Employee contribution, committee & ward reports were heard.

There was no public input.

The second reading of Ordinance 385, Mobile Food Vendors was held. Nelson motioned to adopt Ordinance 385, with the fee set to \$25.00 per 10 days, second by Grabow. Roll call vote, all yes; carried.

Mel Borg, representing Gate City Development brought their financials for Council review and asked for the budgeted \$5,000. Motion by Engesser, second by Nosbush to release the \$5,000 to GCD. All voting aye; carried.

Motion by Grabow, second by Schumacher to convene jointly as the Planning Commission and City Council. All voting aye; carried.

A public hearing was held regarding the request to rezone S204.68' of Gary School Add 'n & Block 10 of RR Add 'n less the N108.88' E60' & less Lot 1 Thorpe's Add 'n, Town of Gary from "I" Industrial District to "C-1" General Commercial District.

Planning Commission member Grabow moved to recommend the approval of the request, second by Nosbush. All voting aye; carried.

City Council held the first reading of Ordinance 384-1. The second reading will be August 4th.

Engesser moved to adjourn as Planning Commission and reconvene as City Council only, second by Nosbush. All voting aye; carried.

A Conditional Use application by Amy Knutson will be reviewed by the Board of Adjustment at a public hearing on August 4th.

Stuart Storlein voiced his concern about a large, dying cottonwood tree in the right of way by his property and asked if it could be cut down. Utilities employee will inspect the tree and get estimates from those who do tree removal.

Gary Hudiburgh, founder of SotaSoDak, explained his mission of the organization and requested funds. SotaSoDak is a nonprofit ministry that combats the youth crisis in rural communities. The program combines hands-on skills training with Christian mentorship to develop strong, capable young people who will become productive community members. Motion by Grabow, second by Nelson to donate \$5,000. All voting aye; carried. They discussed the possibility of having kids in the program complete projects in the City.

An application submitted by Patricia Fields to rezone property at 137 Main Ave was reviewed and will be forwarded to the Planning and Zoning Commission for a public hearing on August 4th.

Senate Bill 74, "an act to require the publication and review of an explanation of the open meeting laws of this state" was passed during the 2025 Legislative session. The Council reviewed and discussed the South Dakota Open Meeting Law Brochure.

Recommendations from the recent Safety Benefits loss control survey completed in June were reviewed. Next month Council will review and update the existing Safety Manual and implement an Emergency Plan for the Library.

The current City Ordinance book was published 2007. American Legal Publishing is a company that conducts a legal review of our current ordinances. Given the many changes in laws over the years, this process ensures that our ordinances are up to date and makes enforcement easier. Motion by Grabow, second by Schumacher to hire American Legal Publishing to codify the current ordinances for \$4,000. Engesser, Nosbush, Grabow, Nelson, Schumacher, aye; Christians, no; carried.

GovCard is an online payment platform that allows customers to pay utility bills and other fees. Information was provided to the council to help determine if this is an option worth pursuing. With this program, the transaction fee is charged to the customer, not the City. Motion by Grabow, second by Engesser to sign up with GovCard. All voting aye; carried.

A treasury note with SD FIT has matured. Nelson moved to reinvest \$250,000 for an 18 month note, \$100,000 for a 9 month note, second by Grabow. All voting aye; carried.

The property liability insurance renewal for 2025-26 is \$38,029.70.

The third payment request from the State Revolving Fund loan in the amount of \$3,972.00 was approved to send in with a motion by Engesser, second by Nosbush. All voting aye; carried.

Building permit issued in June: Jaylen Schulte

Motion by Christians, second by Grabow to enter executive session for personnel matters at 9:04 pm. All voting aye; carried. Mayor declared out at 9:08 pm.

The next regular council meeting will be Monday, August 4, 2025, at 7:30 pm at the Gary City Hall.

Motion by Grabow, second by Engesser to adjourn. All voting aye; carried.

City Council, City of Gary
Joni Kjelden, Finance Officer
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