

City of Gary, South Dakota
Joint Meeting- Planning Commission & City Council
Monday, March 3, 2025 at 6:30 pm Gary City Hall

The Gary City Council met in joint session Monday, March 3, 2025, at 6:30 pm in the City Hall. The Pledge of Allegiance was said. Aldermen Darwyn Engesser, Mike Nosbush, Jay Grabow, and Albert Bekaert were present. Mayor Larry Stoks presided. Doug Nelson arrived at 6:33pm. Bob Stee was absent. Present also were Joni Kjelden, Austin Crocker, Neil Schumacher, Judy Heth, Luke Muller, Jordan Allbee, Melinda Jenson, and Melvin Peiper. Motion by Engesser, second by Nosbush to approve the agenda with removing line item 17, rearrange other line items. All voting aye; carried. Motion by Bekaert, second by Engesser to approve the minutes of the February 3rd meeting. All voting aye; carried.

GENERAL-FEBRUARY 2025 BILLS

Finance Office-2,065.63;Streets-4,548.92;Library-607.45;Parks-77.38;Water-1,325.00;Sewer-1,324.98;Aflac-Jan premium-165.64;AT&T-data connect-44.18;Austin Crocker-cell phone, 168 miles @ .655-135.04;Bjerke Sanitation-garbage-2,467.26;BDRW-501,000 gallons-1,733.00;City of Clear Lake-2 hrs-200.00;City of Gary-firehall-wsg-42.31;city hall-garbage-17.00;Clear Lake Courier-proceedings, notices-249.61;DCSO-law enforcement-588.33;DCFU-monthly fuel charges-613.50;EFTPS/941 Tax-FWT-644.16,OASI-1,615.20;First District-2025 membership dues-397.84;Gary Fire Department-2025 truck payment-15,000.00;Gary Post Office-stamps-56.00;Glacial Lakes & Prairies Tourism-2025 memberships dues-240.00;HD Electric-cemetery electricity-38.38;ITC-phone,internet,fax,alarm loop-101.51,Library-DSL, static IP-53.45;Joel Johnson-2025 code enforcement retainer fee-1,500.00;Kibble Equipment-2025 JD Z994R-7,000.00;Ottetail Power Co.-electricity-926.88;SD DANR-exam fee-60.00;SD Dept of Revenue-garbage/landfill tax-294.27;SDPAA-additional insurance-346.12;SD Public Health Labs-coliform test-15.00;SDRS-February contribution-1,247.02;Sun Life-vision/dental premiums-465.00;Wellmark BCBS-March premium-2,640.66.

LIQUOR-FEBRUARY 2025 BILLS

Liquor-11,170.52;Aflac-Jan premium-229.20;Cah-Wa Distributing-food/supplies-829.88;Chesterman-pop-494.90;City of Gary-wsg-198.90;Dan's Refrigeration-walk in cooler-8,530.00;EFTPS/941 Tax-FWT-559.80,OASI-1,407.42;Ellwein Bros-beer-6,505.50;First Bank & Trust-credit card-395.29;Gate City General-food-17.95;Gary Liquor Store-Feb open juke box-60.00;Harry's Pizza-monthly invoice-1,075.00;Henry's Foods-tobacco,food,supplies-1,655.50;ITC-phone,DSL,TV-250.98;Johnson Bros-liquor-1,813.77;Nikki Giese-6.7 hrs. @ 10.00-67.00;Old Dutch Foods-chips-187.92;Ottetail Power Co. Electricity-660.37;Pepsi-Cola-pop-407.76;Pizza & Burger Shack-pizza-180.00;Porter Dist. Co-beer, wine/coolers-666.00;Republic National Dist-liquor-1,036.20;Robin Lanners-cell phone-25.00;SD Dept of Rev-Feb liquor sales tax-2,544.98;SDRS-Feb contribution-1,071.92;Wellmark BCBS-March premium-3,395.13.

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

Employee contributions, committee and ward reports were heard. No public input.

Motion by Grabow, second by Engesser to convene jointly as the Planning Commission and City Council. All voting aye; carried. Motion by Grabow, second by Nosbush, acting as Planning Commission members to Recommend Approval of the Zoning Ordinance to the City Council. All voting aye; carried.

Luke Muller, First District Association of Local Government, presented a summary of the Ordinance. He noted two sections that did not reflect changes recommended by the subcommittee that reviewed the proposed ordinance and urged a substitute motion to recommend approval of the ordinance with Chapters 4.22 and 4.25 as described by Mr. Muller. Substitute Motion by Grabow, second by Engesser to recommend approval of Ordinance 384 with the changes to Chapter 4.22 and 4.25 described by Muller to read as shown in the attached.

Mayor opened the public hearing before the Planning Commission and City Council, sitting jointly. Nobody from the public addressed the ordinance. Mayor closed the public hearing.

The Planning Commission voted on the substitute motion to recommend approval of Ordinance 384 with the changes to Chapter 4.22 and 4.25 described by Muller. Motion passed unanimously.

City Council held first reading of the Zoning Ordinance. Second Reading will be held on Monday, April 7, 2025. The council is expected to deny or approve Ordinance 384, with or without amendment following the second reading.

The wastewater project bids were opened on February 27th. A motion by Grabow to tentatively award for the Gary Wastewater Improvements- Base Bid and Alternate Bid 1 is made to D&G Excavating Inc. in the amount of \$1,562,458.50 contingent upon funding agency approval. Second by Engesser, all voting aye; carried.

The first payment request from the State Revolving Fund loan in the amount of \$145,610.00 was approved to send in with a motion by Engesser, second by Grabow. All voting aye; carried.

Discussion about purchasing a new or different pickup for the utilities employees was had during two meetings. Different options and prices from multiple dealers were obtained. Motion by Grabow, second by Bekaert to purchase from Fritz Chevrolet. All voting aye; carried.

Melvin Pieper spoke to the council about the Gary Rodeo scheduled for July 4 & 5. He asked for advertising funds for the city. Motion by Nelson, second by Grabow to purchase \$7,500 to advertise all businesses in Gary during the event. Engesser, Grabow, Nelson, Bekaert aye; Nosbush no; carried.

Motion by Engesser, second by Nosbush to approve a special temporary malt beverage license for the Gary Rodeo, LLC: July 4 & 5, Lot 1, Lewis Addition in E ½, SE ¼, Less Lot 3A of Lots 1 & Outlot 14 in 4-115-47, City of Gary, Deuel County, SD. All voting aye; carried.

Motion by Nelson, second by Grabow to raise by any and all dollars due to growth and CPI for the 2025 tax call. All voting aye; carried.

Motion by Bekaert, second by Engesser to sign the agreement with Deuel County Highway Department for the 2025 year. All voting aye; carried.

The Gary Tree Board submitted their comprehensive plan for this year that includes planting trees at the Cemetery, observe April 26th as Arbor Day with city wide cleanup, reappoint Neil Schumacher to a three-year term. All approved with a motion by Nosbush, second by Grabow. All voting aye; carried. Mayor Stoks signed the Arbor Day proclamation.

Title 6 in the city ordinance book was reviewed. Sections include fireworks and licenses; these will be discussed again with possible changes.

Motion by Grabow, second by Engesser to prepay Minn-Kota Pest \$498.75 for services at the Municipal Building. All voting aye; carried.

The first readings of Ordinance 2025-33-18; Sewer Rate Schedule and Ordinance 2025-33-19; Water Rate Schedule was held. The second reading will be at the March 17th meeting.

Reviewed the 2024 first Audit draft done by Ben Elliott. Motion by Bekaert, second by Engesser to pay \$4,500 per contract. All voting aye; carried.

Melinda Jenson shared the Gary Community Clubs ideas for events this spring and summer. Motion by Nosbush, second by Grabow to give the club \$3,500. All voting aye; carried.

Motion by Grabow, second by Bekaert to allow the community club to close a portion of Summit St from First Ave to Second Ave for an Easter Event. All voting aye; carried.

Motion by Grabow, second by Nosbush to approve travel and lodging for Utilities employee to attend water distribution conference in Aberdeen, March 11-13. All voting aye; carried.

Motion by Grabow, second by Engesser to approve the special temporary liquor license for American Legion Ballroom, E 24' of Lot 11 and all of Lots 12, 13, 14 in Block 1 of Original Plat, City of Gary, South Dakota for Sunday March 23, 2025. On-sale only. All voting aye; carried.

Motion by Grabow, second by Engesser to enter executive session at 8:46 pm for personnel. All voting aye; carried. Mayor declared out at 8:49 pm.

The Local Review Board Meeting will be held on Monday, March 17, 2025 at 5 pm at the Gary City Hall. Anyone wishing to appeal their property assessment value is required to notify the City Office in writing by 5:00 pm on March 14, 2025.

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

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