

UNAPPROVED MINUTES OF THE REGULAR MEETING OF THE ELK POINT CITY COUNCIL

The Elk Point City Council met in regular session on Tuesday, June 6, 2023, at 6:30pm in the council chambers of City Hall located at 106 W. Pleasant Street with Mayor McCreary presiding and these members present: Abraham, Penfield, Verros and VonHaden. Hurlbert and Irlbeck were absent. Also present were City Attorney Thompson, City Engineer Nebelsick, City Administrator Tuttle, Public Works Director Job, Police Chief Limoges, and Finance Officer Hammitt.

The meeting began at 6:30pm with a study session and the regular council meeting began at 7:00pm.

Motion made by Penfield, seconded by Abraham to approve the agenda. All in favor.

VonHaden moved and Verros seconded a motion to approve the minutes from the May 1st and 11th, 2023, council meetings. Unanimous.

Motion and second, Abraham/Penfield to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$90,458.96; Enterprise Fund: \$40,614.29; Fringe Benefits: General Fund: \$24,973.72; Enterprise Fund: \$12,288.12; Bills: Ace Engine & Parts Dist.-supplies: \$640.00; American Popcorn Company-concessions: \$62.00; Bernard, Lisa-half of lifeguard training reimbursement: \$100.00; Boatman Tile & Granite, Co.-improvements: \$1,060.00; Bomgaars-uniforms: \$124.99; Border States Electric Supply-supplies: \$278.24; Brian's Repair, Inc.-repairs: \$301.83; Brick Markers-supplies: \$245.00; Cardmember Services-supplies: \$3,997.22; Chesterman, Co.-concessions: \$198.09; City of Vermillion-tipping fees: \$6,138.33; Code Enforcement Specialists-professional services: \$461.95; Conley, Neilson-cell phone reimbursement: \$120.00; Core & Main-supplies: \$190.00; Cornhusker International Truck-repairs: \$27.23; Craig Thompson Attorney at Law-professional services: \$2,629.50; Dakota Mechanical-repairs: \$674.00; East River Electric-power: \$88,382.05; ECI Systems-maintenance: \$145.35; Elk Point Ace Hardware-supplies: \$2,209.24; ELO Professional LLC-professional services: \$18,061.00; Erika Hammitt-cell phone and membership reimbursement: \$279.50; Fenske, Nicholas-cell phone reimbursement: \$120.00; First Dakota Tile-professional services: \$744.50; Flags Unlimited 2-supplies: \$44.50; Geary, Andrea-cell phone reimbursement: \$120.00; Hanson, Mark-cell phone reimbursement: \$120.00; Hawkins, Inc.-supplies: \$2,716.36; Heiman Fire Equipment-professional services: \$1,347.87; Highway Fence Company-repairs: \$500.00; Hutcheson, Kim-cell phone reimbursement: \$120.00; Ingram Library Services-library books: \$874.81; Interstate Battery System of SD-supplies: \$280.90; I-State Truck Center-repairs: \$58.35; Jack's Uniform & Equipment-uniforms: \$50.95; JCL Sioux Falls Branch-supplies: \$273.42; Jeff's Lawn Care-repairs: \$40.80; Jim Hawk Truck Trailers, Inc.-repairs: \$124.16; Job, Trevor-cell phone reimbursement: \$300.00; Jones Food Center-supplies: \$2,387.59; Kafka Granite, LLC-supplies: \$4,694.50; Keegan, Justin-cell phone and clothing allowance reimbursement: \$192.33; Leader-Courier-publishing: \$505.76; Limoges, Jacob-cell phone reimbursement: \$300.00; Locator & Supplies, Inc.-supplies: \$659.85; Malm, Kevin & Jessica-tax abatement: \$1,304.09; Matheson Tri-Gas, Inc.-supplies: \$61.93; McLaury Engineering, Inc.-professional services: \$8,997.50; McLeod's Printing & Office

Supplies-supplies: \$78.43; Merkley, Kevin-reimbursement for memorial area at cemetery: \$607.05; MidAmerican Energy-utilities: \$45.21; Mid-American Research Chemical-supplies: \$493.11; Midcontinent Communications-utilities: \$1,023.95; Midwest Alarm Company, Inc.-monitoring services: \$81.75; Midwest Wheel Companies-supplies: \$48.31; Mockler, Todd-cell phone and uniform reimbursement: \$418.15; MSC-supplies: \$300.60; MSC Industrial Supply, Co.-supplies: \$1,163.67; Murphy Tractor Supply & Equipment Co.-backhoe: \$148,800.00; One Office Solution-office expense: \$687.48; Orkin-professional services: \$317.38; Peed, Dan & Makala-half of lifeguard training reimbursement: \$92.50; Per Mar Security Systems-monitoring services: \$543.66; Pyle, Kirk-cell phone reimbursement: \$120.00; Riteway-office expenses: \$1,733.01; Running Supply, Inc.-supplies: \$277.41; Sanford Health Plan-insurance: \$16,455.76; Schaffer, Ryan-tax abatement: \$542.61; Schaffer, Lee-tax abatement: \$1,336.41; Siouxland Humane Society-animals: \$55.00; South Dakota One Call-locate tickets: \$49.35; Southeast Farmers Elevator, Coop.-fuel: \$3,746.73; Southeast SD Tourism Association-dues: \$265.00; Stan Houston-supplies: \$1,767.00; Staples Credit Plan-office expense: \$201.48; State Industrial Products-maintenance: \$2,624.47; Strawn, Willis-cell phone reimbursement: \$120.00; Sturdevant's Auto Parts-repairs: \$315.64; Transource-repairs: \$182.47; Trudeau, Corey-cell phone reimbursement: \$120.00; Tudog's Computing, LTD-professional services: \$335.99; Tuttle, Derek-cell phone reimbursement: \$300.00; Union County Register of Deeds-filing fees: \$60.00; United Industries-supplies: \$4,386.66; US Bank Equipment Finance-copier lease: \$255.17; Utility Equipment Company-repairs: \$4,847.51; Van Diest Supply Company-supplies: \$637.50; VanRoekel, Troy-cell phone reimbursement: \$120.00; Verizon Wireless-utilities: \$411.36; Vermillion Ford-repairs: \$628.37; Wesco Distribution-supplies: \$17,781.10; Zep-supplies: \$495.93; Zimco Supply Company-supplies: \$244.50

A public hearing was held at 7:00pm for a zoning amendment for Gary and Barb Nebelsick to change the zoning from Residential to General Business at 402 W. Washington Street.

A public hearing was held at 7:00pm for a variance request for Brian Oedekoven to add to an existing detached garage at 210 N. Scott Street.

A public hearing 7:00pm on a one-day malt beverage license for Clay Union Foundation a Vendor Fair and Beer Garden on September 16, 2023.

Robin Schiro spoke to the council during public forum.

First reading was given to Ordinance No. 423, an Ordinance amending the 2018 revised zoning regulations for the City of Elk Point, South Dakota.

Motion made by Penfield, seconded by Verros to approve the variance request for Brian Oedekoven at 210 N. Scott Street. Unanimous.

VonHaden moved and Penfield seconded the motion to approve a one-day malt beverage license for Clay-Union Foundation, Inc. on September 16, 2023, for the Vendor Fair and Beer Garden. All in favor.

Sara Mapstone and Susan Hall attended the meeting to request the city purchase flowers for the Secret Garden at the park. Motion and second, VonHaden/Verros to approve the purchase up to \$500.00. Unanimous.

The following bids were received for the Emergency Storm Shelter Project.

1. Mart Brothers - \$459,184.50

Motion made by Penfield, seconded by VonHaden to approve the bid from Mart Brothers Construction for \$459,184.50 and to authorize City Administrator Tuttle to sign the construction contract. All in favor.

VonHaden moved and Abraham seconded a motion to approve payment #1 for \$204,082.00 to Mart Brothers Construction for the Emergency Storm Shelter Project. Unanimous.

The July meeting was rescheduled for Tuesday, July 11, 2023, at 7:00pm.

Motion and second, Verros/VonHaden to approve the permanent easement for the biking and hiking path between the city and the Elk Point-Jefferson School District. All in favor.

Discussion was held on the installation of a sidewalk on the block between Green Street and Truman Lane on the Main Street properties. City Administrator Tuttle and City Attorney Thompson will look into the procedure before the next meeting.

Discussion was held on the commercial rates. Motion made by Penfield, seconded by VonHaden to approve Resolution #2023-2, a Resolution Providing Rates and Charges to Consumers of Utilities Provided by the City of Elk Point, South Dakota. Unanimous.

CITY OF ELK POINT RESOLUTION 2023-2

RESOLUTION PROVIDING RATES AND CHARGES TO CONSUMERS OF UTILITIES PROVIDED BY THE CITY OF ELK POINT, SOUTH DAKOTA

WHEREAS, the City of Elk Point wishes to adopt the schedule of rates for water, sewer, electric and garbage services,

WHEREAS, the current fee schedule shall be available from the Finance Office or the Utility Office Manager of the City of Elk Point,

WHEREAS, all fees shall be the property of the City of Elk Point and shall be paid to the Utility Office or the Authorized Official of the City of Elk Point for credit to the Enterprise Funds of the City and which under no condition shall be refunded.

NOW, THEREFORE, BE IT RESOLVED that the City of Elk Point adopts the Utility Rates as follows:

Section 1. Garbage Rates:

(A) Once per Week Pickup, Large Business –Use of a dumpster shall be required, with size to be determined by the City and monthly fee determined by size according to the following:

2 yards: \$68.47
4 yards: \$126.11
8 yards: \$224.89

(B) Twice per Week Pickup, Large Business –Use of a dumpster shall be required, with size to be determined by the City and monthly fee determined by size according to the following:

2 yards: \$120.00
4 yards: \$200.00
8 yards: \$290.00

Adopted this 6th day of June 2023.

CITY OF ELK POINT

Deb McCreary
Mayor

ATTEST: Erika Hammitt
Finance Officer

VonHaden moved and Abraham seconded a motion to give Willis Strawn a \$.50/hour raise after graduating from the police academy. All in favor.

Motion and second, VonHaden/Penfield to go into executive session at 7:49pm per SDCL #1-25-2 (5) Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business. Unanimous.

Mayor McCreary declared the council out of executive session at 8:11pm.

Motion made by VonHaden, seconded by Abraham to extend the current UDAG loan for \$29,421.12 amortized for 15-years with a 5-year balloon payment with Scott Mahin (Bump N' Sam's. All in favor.

Motion to adjourn, Penfield/Abraham. Unanimous.

Attest: Erika Hammitt
Finance Officer

Deb McCreary
Mayor

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