

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

The Elk Point City Council met in regular session on Tuesday, July 11, 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. No one was 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 Hurlbert to approve the agenda. All in favor.

VonHaden moved and Verros seconded a motion to approve the minutes from the June 6, 2023, council meeting. Unanimous.

Motion and second, Abraham/Irlbeck to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$91,183.68; Enterprise Fund: \$29,617.79; Fringe Benefits: General Fund: \$19,252.60; Enterprise Fund: \$8,495.32; Bills: Aflac-insurance: \$902.52; American Popcorn Company-concessions: \$62.00; American Recognition-uniforms: \$285.00; Amsoil, Inc.-supplies: \$1,078.84; Avera Occupational Health-professional services: \$287.00; Avery Brothers-supplies: \$151.53; Barkley Asphalt, Inc.-asphalt: \$17,093.02; Bomgaars-uniforms: \$238.96; Border States Electric Supply-supplies: \$2,257.46; Cardmember Services-supplies: \$5,348.74; Chesterman Co.-concessions: \$781.20; City of Vermillion-tipping fees: \$5,418.50; Collier, Beverly-reimbursement for repairs: \$2,500.00; Core & Main-supplies: \$5,997.11; Craig Thompson Attorney at Law-professional services: \$1,752.60; DeBoer Tree Farm-trees: \$1,325.00; Demco, Inc.-supplies: \$734.60; DGR Consulting Engineers, Inc.-professional services: \$393.00; Diamond Vogel Paints-supplies: \$195.70; D-P Tools, Inc.-supplies: \$25.25; East River Electric-power: \$102,739.79; ECI Systems-utilities: \$300.00; Elk Point Ace Hardware-supplies: \$1,715.41; Elk Point Chamber-donation: \$75.00; Elk Point Post Office-postage: \$300.00; EPJ Baseball/Softball Assoc.-donation: \$500.00; Fenske, Nicholas-meal reimbursement: \$11.00; Flags Unlimited 2-supplies: \$640.00; Fleet US LLC-supplies: \$126.00; Floyd River Materials-supplies: \$1,978.40; Hammitt, Erika-travel reimbursement: \$386.50; Hawkins, Inc.-supplies: \$5,701.79; Ingram Library Services-books: \$82.48; Jacks Uniform & Equipment-uniforms: \$303.15; Jim Hawk Truck Trailers, Inc.-supplies: \$385.88; Junior Library Guild-books: \$770.50; Leader-Courier-publishing: \$237.99; Loffler-copier lease: \$440.83; Matheson Tri-Gas, Inc.-supplies: \$60.35; Metering & Technology Solutions-supplies: \$1,349.54; MidAmerican Energy-utilities: \$61.52; Midcontinent Communications-utilities: \$1,575.32; Midwest Mini Melts-concessions: \$2,112.00; Midwest Read Mix-supplies: \$462.00; Mr. Golf Cart, Inc.-repairs: \$450.00; MSC Industrial Supply Co.-supplies: \$17.75; MSC-supplies: \$448.58; One Office Solutions-office expense: \$179.07; Resco-inventory for resale: \$6,732.00; Roan, Gary-professional service: \$1,040.00; Roto-Rooter-repairs: \$321.00; Runnings-supplies: \$360.62; Sanford Health Plan-insurance: \$17,301.62; Sooland Bobcat-supplies: \$587.69; South Dakota One Call-locate tickets:

\$99.75; Southeast Farmers Elevator-fuel: \$5,794.01; Spokas Landscaping, LLC-supplies: \$1,448.98; State Industrial Products-wastewater program: \$2,624.47; Sturdevant's Auto Parts-repairs: \$35.19; Sundheim Well Repair, LLC-repairs: \$1,979.60; Transource-repairs: \$396.76; Trudeau, Corey-meal reimbursement: \$11.00; Tudogs Computing, LTD-professional services: \$168.63; Two Way Solutions, Inc.-supplies: \$255.97; Union County Electric Coop.-utilities: \$8,261.00; Union County Register of Deeds-filing fees: \$30.00; US Bank Equipment Finance-copier lease: \$510.34; Utility Service Co., Inc.-repairs: \$8,241.00; Van Diest Supply Company-supplies: \$2,268.75; Verizon Wireless-utilities: \$205.42; Zep Manufacturing-supplies: \$337.69; Zimco Supply Company-supplies: \$832.23

Doug Briese discussed rental properties and storm drain at his home.

Richard Peasley attended the meeting regarding the drainage ditch previously discussed with the Council. Mr. Peasley requested the city cut off the drainage pipe and bury it or remove it completely. He also stated a better solution needs to be done. City Administrator Tuttle will discuss and review the contour study with McLaury Engineering. Mr. Peasley also spoke to the council representing the Elk Point Baptist Church. He discussed the land the church owns and asphalt parking at the current church.

Greg Hovland also spoke about drainage ditch on Washington and Clay Street.

Second reading was given to Ordinance No. 423, an Ordinance Amending the 2018 Revised Zoning Regulations for the City of Elk Point, South Dakota.

### ORDINANCE NO. 423

#### AN ORDINANCE AMENDING THE 2018 REVISED ZONING REGULATIONS FOR THE CITY OF ELK POINT, SOUTH DAKOTA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELK POINT, UNION COUNTY, SOUTH DAKOTA:

That Ordinance No. 390 be amended by changing the zoning of the following described real property, to-wit:

From Residential District to General Business District:

Parcel #03.01.35.1000, Lots 1, 2 & E ½ Lot 3 Block 35, Original Elk Point City, Union County, South Dakota.

Dated this 11<sup>th</sup> day July of 2023.

Deb McCreary  
Mayor

ATTEST: Erika Hammitt  
Finance Officer

(SEAL)

First Reading: June 6, 2023  
Second Reading: July 11, 2023  
Adoption: July 11, 2023  
Publication Date: July 20, 2023

Motion made by Penfield, seconded by Irlbeck to approve the Ordinance as presented.  
Unanimous.

Discussion was held on the need for a sidewalk from Green Street to Truman Street on Main Street properties. Council agreed this needs to be completed for safety concerns with kids riding their bikes to the pool. The culvert located on one property is a concern. City Administrator Tuttle will review this with City Engineer Nebelsick and bring the information to a future meeting.

Jonathan Kjose with Boy Scout Troop 87 distributed information and discussed his Eagle Scout Project to add a handicap ramp at the Historic Museum. He requested the building permit fee be waived. Penfield moved and Abraham seconded a motion to waive the building permit fee. All in favor.

Motion and second, Irlbeck/Abraham to appoint Lance Penfield as the delegate and Kris Hurlbert as the alternate delegate for the East River Annual meeting. Unanimous.

Motion made by Irlbeck, seconded by VonHaden to approve an Easement Amendment for Gary and Dawn Glover. The 44' drainage easement in Lots 35 and 36, Block 4, Country Club Estates Addition, City of Elk Point, Union County, South Dakota. All in favor.

VonHaden moved and Verros seconded a motion to approve Resolution #2023-3, Housing Infrastructure Finance Program Grant Application. Unanimous.

CITY OF ELK POINT  
RESOLUTION 2023-3

HOUSING INFRASTRUCTURE FINANCE PROGRAM GRANT APPLICATION TO THE  
SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY

WHEREAS, the City of Elk Point desires assistance from the South Dakota Housing Development Authority for the purpose of promoting housing development in South Dakota by providing grants and loans for housing infrastructure; and

WHEREAS, SDCL 11-4 and SDCL 11-6 grant municipalities the authority to plan, zone, and create a comprehensive plan; and

WHEREAS, Title 9 of the Revised Municipal Ordinances of the City of Elk Point established the planning, zoning, and building regulations; and

WHEREAS, the 2011 Revised Elk Point Zoning Regulations establish the building, zoning, lot, and yard requirements for residential districts; and

WHEREAS, the ownership and ongoing maintenance of the development will be the responsibility of the City of Elk Point; and

WHEREAS, the City of Elk Point has adequate capacity for water supply, water treatment facilities, and wastewater treatment facilities to support the public infrastructure in the proposed project.

NOW THEREFORE BE IT RESOLVED by City of Elk Point, South Dakota, that the infrastructure plan for the Housing Infrastructure Finance Program grant application meets the municipality's infrastructure requirements, will be approved, and added to the ownership and ongoing maintenance responsibility of the municipality.

The Elk Point City Council hereby authorizes the filing of the Housing Infrastructure Financing Program grant application, including all understanding and assurances contained therein, and hereby authorizes the Mayor to, in connection with the application, provide such additional information as may be required.

Adopted this 11<sup>th</sup> day of July 2023.

Deb McCreary,  
Mayor of Elk Point

Attest:  
Erika Hammitt, Finance Officer

Discussion was held on asphaltting North Scott Street at the owner's expense. The council agreed to allow Public Works Director Job to complete the project as time allows.

Motion and second, Hurlbert/Abraham to hire Kendra Windeshausen (\$19.30/hour) as an on-call police officer as recommended by Police Chief Limoges. All in favor.

No action taken on scheduling a special meeting for a one-day malt beverage license application.

Motion made by VonHaden, seconded by Abraham to go into executive session at 8:04pm per SDCL #1-25-2 (1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term of employee does not include any independent contractor. Unanimous.

Mayor McCreary declared the council out of executive session at 9:02pm.

Motion and second to adjourn, Penfield/VonHaden. All in favor

Attest: Erika Hammitt

Deb McCreary

Finance Officer

Mayor

Publish: July 20, 2023