

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

The Elk Point City Council met in regular session on Monday, November 13, 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, Irlbeck, VonHaden, and Hurlbert. No one was absent. Also present were City Attorney Thompson, City Engineer Nebelsick, City Administrator Tuttle, Police Chief Limoges, Public Works Director Job, 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 Irlbeck, seconded by VonHaden to approve the agenda. All in favor.

Verros moved and Penfield seconded a motion to approve the minutes from the October 3, 2023, council meeting. Unanimous.

Motion and second, Penfield/Hurlbert to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$91,391.74; Enterprise Fund: \$41,128.78; Fringe Benefits: General Fund: \$25,358.52; Enterprise Fund: \$12,357.57; Bills: Aflac-insurance: \$1,161.19; Banyon Data Systems-software: \$3,405.00; Beringer, James-tax abatement: \$2,352.96; Border States Electric-SFL-supplies: \$11.18; Canon Financial Services, Inc.-copier lease: \$177.00; Cardmember Services-supplies: \$3,393.46; City of Sioux Falls-water testing: \$87.00; City of Vermillion-tipping fees: \$5,987.38; Code Enforcement Specialists-professional services: \$725.81; Colonial Research Chemical Corp.-supplies: \$262.74; Conover, Cary & Victoria-tax abatement: \$2,768.30; Craig Thompson Attorney at Law-professional services: \$2,555.90; Dakota Pump, Inc-repairs: \$255.10; DANR Fiscal Office-dues: \$600.00, Ditchwitch of SD-supplies: \$686.10; Douglas, William and Mylee-tax abatement: \$1,887.66; D-P Tools, Inc.-supplies: \$112.15; East River Electric-power: \$115,227.82; ECI Systems-supplies: \$449.84; Elk Point Ace Hardware-supplies: \$816.01; Elk Point Chamber-dues: \$30.00; Ethan Sundleaf-tax abatement: \$2,257.95; Flikkema, James and Luanne-tax abatement: \$2,461.47; Floyd River Materials-supplies: \$2,044.50; Greg Peters-tax abatement: \$4,494.53; Hartington Tree, LLC-supplies: \$2,500.00; Huber Rentals-tax abatement: \$9,152.06; Hudelson, Don & Leah-tax abatement: \$2,240.89; Hurlbert, Kris-tax abatement: \$2,890.38; Hydraulic Sales & Services-repairs: \$82.09; Ingram Library Services-library books: \$588.40; Interstate Battery System of SD-supplies: \$155.95; Jack's Uniform & Equipment-uniforms: \$293.80; Jeff's Lawn Care-repairs: \$80.58; Job, Trevor-travel and conference: \$134.00; Jones' Food Center-supplies: \$90.37; Keegan, Justin-uniforms: \$127.44; Knife River Midwest, LLC-asphalt: \$2,775.09; Kuhlmann, Ben-tax abatement: \$2,013.78; Leader-Courier-publishing: \$416.00; Loffler-copier lease: \$708.77; Mart Brothers Construction, Inc.-professional services: \$4,336.74; Matheson Tri-Gas, Inc.-supplies: \$61.93; McInerney, Craig & Leona-tax abatement: \$2,732.55; McLaury Engineering, Inc.-professional services: \$700.00; Menards-supplies: \$2,421.00; MidAmerican Energy-utilities: \$75.38; Midcontinent Communications-utilities: \$1,033.27; Midwest Alarm Company, Inc.-monitoring services: \$89.11; Midwest Ready Mix-supplies: \$4,584.09; MSC-supplies: \$754.07; MSC Industrial

Supply Co.-supplies: \$312.57; Northern Truck Equipment Co.-supplies: \$978.43; Oedekoven, Brian-tax abatement: \$1,404.70; One Office Solution-office expense: \$239.89; Pumps Tire Service-repairs: \$2,282.48; Post Office-office expense: \$118.00; Orkin-maintenance: \$70.94; Public Health Laboratory-professional services: \$300.00; RMS Drainage & Excavation-repairs: \$11,363.80; Runnings Supply, Inc.-supplies: \$522.28; Sanford Occupational Medicine-professional services: \$30.00; Sapp Bros. Petroleum-supplies: \$84.97; Schaffer, Ryan-tax abatement: \$542.61; Schaffer, Lee-tax abatement: \$1,336.41; SD Department of Revenue-fees: \$75.00; Smith, Cathy-tax abatement: \$691.55; South Dakota Municipal League-registration fees: \$100.00; South Dakota One Call-locate tickets: \$63.00; Southeast Farmer Elevator Coop.-fuel: \$3,573.14; State Industrial Products-dues: \$2,669.12; Sturdevant's Auto Parts-repairs: \$8.49; Teamsters Local 120-dues: \$257.00; Terry, Jacob-tax abatement: \$1,178.42; Transource-repairs: \$1,235.46; Tuckers Glass Shop-repairs: \$420.00; Tudogs Computing, LTD-repairs: \$247.12; Tuttle, Derek-travel and conference: \$419.00; Union County Electric Coop.-utilities: \$10,510.00; Union County Register of Deeds-filing fees: \$1.00; US Bank St. Paul-bond: \$82,706.88; Utility Equipment Co.-supplies: \$1,190.05; Verizon Wireless-utilities: \$411.44; Water Rights Program-permit: \$95.00; Wieckowski, Etal & Jennifer-tax abatement: \$950.28; Ziegler-supplies: \$188.31

A public hearing was held at 7:00pm for East River Properties, LLC zoning amendment change from General Business District to R-2 Multi-family District on Lots 7, 8, 9, 10, 11, 12, 13, and 14, Block 28, Weston and Hoffman Addition, Elk Point City, Union County, South Dakota. Discussion was held. Mr. Brady withdrew his application.

A Public Hearing was held at 7:00pm on a Retail on and Off Sale Malt Beverage and South Dakota Farm Wine License transfer from Kum & Go, LC to Maverik Palace Acquisition Co., LLC.

Robin Schiro spoke to the council during public forum.

Motion made by Penfield, seconded by VonHaden to approve the Retail on and Off Sale Malt Beverage and South Dakota Farm Wine License transfer from Kum & Go, LC to Maverik Palace Acquisition Co., LLC. Unanimous.

Mr. Brady withdrew his application, so action was taken on the First Reading of Ordinance No. 425, zoning amendment for East River Properties, LLC.

VonHaden moved and Penfield seconded a motion on JCK Real Estate, LLC petition to annex contiguous territory to the City of Elk Point. All in favor.

Motion and second, VonHaden/Penfield to approve the following Resolution. Unanimous.

RESOLUTION NO. 2023-5
Resolution Annexing Certain Contiguous Territory to the
City of Elk Point, Union County,
South Dakota

WHEREAS, there has been presented to the City Council of the City of Elk Point and filed with the City Finance Officer, a petition in writing signed by not less than three-fourths of

the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed and

WHEREAS, said petitioner requests the land hereinafter described and as shown on the map attached as Exhibit A be included within the City of Elk Point municipal boundaries.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Elk Point that the following properties described as

Lot C of Nelson Tract 1 in the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section 29, Township 91 North, Range 49 West of the 5th P.M., less that part of Lot C now platted as Lot F, Union County, South Dakota, according to the recorded plat thereof.

is hereby included within the corporate limits of the City of Elk Point and the boundary of the City of Elk Point is hereby extended to include such territory.

Dated this 13th day of November 2023.

Deb McCreary
Mayor

ATTEST: Erika Hammitt
Finance Officer

A special meeting was scheduled for Monday, December 18, 2023, at 7:00am.

Motion and second, Irlbeck and Verros to approve the 2024 Package Off-Sale Liquor License application for Jones Food Center. Unanimous.

Irlbeck moved and Verros seconded a motion to approve the 2024 Retail On-Sale Liquor License applications for Blue Tequila, LLC. All in favor.

Irlbeck moved and Verros seconded a motion to approve the 2024 Package Off-Sale Liquor License application for Casey's General Store. Unanimous.

Motion made by Irlbeck, seconded by Verros to approve the 2024 Retail On-Sale Liquor License application for Pace's, LLC. All in favor.

Moved by Irlbeck, seconded by Verros to approve the 2024 Retail On-Sale Liquor License application for the Recreation Development Association. Unanimous.

Irlbeck moved and Verros seconded a motion to approve the 2024 Retail On-sale Liquor License for Bump N Sam's, Inc. All in favor.

Motion made by Irlbeck, seconded by Verros to approve the 2024 Retail On-Off Sale Wine and Cider License application for the Dolgan Midwest LLC (Dollar General Store). Unanimous.

Irlbeck moved and Verros seconded a motion to approve the 2024 Package Off-Sale Liquor and Retail On-Off Sale Wine and Cider Licenses for Kiran, LLC (A-1 Quick Stop). All in favor.

Motion and second, Irlbeck/Verros to approve the 2024 Retail On-Sale Liquor License application for Spink Family Restaurant. Unanimous.

Motion made by Irlbeck, seconded by Abraham to approve the 2024 animal holding contract with the Siouxland Humane Society. Unanimous.

Penfield moved and VonHaden seconded a motion to go into executive session at 7:57pm 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. All in favor.

Mayor McCreary declared the council out of executive session at 8:29pm.

Motion and second, Penfield/VonHaden to adjourn. Unanimous.

Attest: Erika Hammitt
Finance Officer

Isabel Trobaugh
Mayor

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