

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

The Elk Point City Council met in regular session on Monday, October 7, 2024, at 7:00pm in the council chambers of City Hall located at 106 W. Pleasant Street with Mayor McCreary presiding and these members present: Penfield, Abraham, Irwin, Hurlbert, VonHaden, and Irlbeck. No one was absent. Also, present were: City Attorney Thompson, City Administrator Tuttle, Police Chief Limoges, Finance Officer Hammitt, and Public Works Director Job.

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

Hurlbert moved and Irlbeck seconded a motion to approve the minutes from the September 9, 2024, council meeting. 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: \$92,918.72; Enterprise Fund: \$44,311.13; Fringe Benefits: General Fund: \$24,988.40; Enterprise Fund: \$13,041.47; Bills: American Recognition-uniforms: \$127.68; Auto Value Vermillion-supplies: \$167.46; Avera Occupation Health-professional services: \$85.00; Burke Engineering Sales Co.-supplies: \$670.00; Canon Financial Services, Inc.-copier lease: \$177.00; Cardmember Services-supplies: \$3,023.03; Cave Crushing, Inc.-professional services: \$13,904.00; City of Vermillion-tipping fees: \$5,227.57; Cod Enforcement Specialists-professional services: \$1,066.53; Cornhusker International Truck-repairs: \$4,503.89; Craig Thompson Law Office-professional services: \$367.80; Dakota Playground-equipment: \$426.68; Dave's Roofing-repairs: \$2,071.00; DGR Consulting Engineers, Inc.-professional services: \$135.50; Diamon Vogel Paints-supplies: \$196.74; East River Electric-power: \$119,526.56; p Electronic Communications, Inc.-repairs: \$204.00; Elk Point Ace Hardware-supplies: \$333.60; Erika Hammitt-travel reimbursement: \$84.50; Fed Ex-shipping: \$18.93; GPM Environmental Solutions, LLC-dues: \$448.00; Hanson, Mark-uniform reimbursement: \$146.49; Hawkins, Inc.-supplies: \$2,874.25; Jim Hawk Truck Trailers-supplies: \$156.31; Jones Food Center-supplies: \$158.37; Keegan, Jessica-tax abatement: \$2,942.67; Leader-Courier-publishing: \$561.92; Matheson Tri-Gas, Inc.-supplies: \$72.89; Metering & Technology Solution-supplies: \$2,870.71; MidAmerican Energy-utilities: \$80.13; Midcontinent Communications: \$941.62; Midwest Ready Mix-supplies: \$544.50; Midwest Turf & Irrigation-repairs: \$24.85; MSC-supplies: \$778.46; MSC Industrial Supply Co.-supplies: \$208.98; Orkin-professional services: \$79.64; Public Health Laboratory-water testing: \$36.00; RJ Thomas MFG Co & Pilot Rock-supplies: \$4,693.00; Siouxland Humane Society-animals: \$110.00; South Dakota Municipal League-conference: \$200.00; Southeastern Council of Governments-professional services: \$570.00; Southeast Farmer Elevator Coop.-fuel: \$2,979.54; State Industrial Products-professional services: \$2,374.95; The Wave Elk Point-maintenance: \$133.64; Tudogs Computing, LTD-repairs: \$224.79; Union County Electric-utilities: \$3,550.00; Utility Equipment Co.-supplies: \$5,142.96; Verizon Wireless-utilities: \$208.18; Workforce-professional services: \$175.00; Zimco Supply Company-supplies: \$56.00

A public hearing was held 7:00pm on a variance request for Eyad Najdawi to build a home at 302 Lexington St. The attached garage exceeds the main floor area of the principal building. Mr. Najdawi spoke during public forum. The council agreed that Mr. Najdawi did not provide a

hardship for the variance request and asked him to resubmit a building permit application complying with the city ordinance.

Greg Hovland and Robin Schiro spoke during public forum.

Second reading was given to Ordinance No. 427, an Ordinance Amending Title 11 Section 6, Off Street Parking.

CITY OF ELK POINT SOUTH DAKOTA
ORDINANCE NO. 427

AN ORDINANCE AMENDING TITLE 11 SECTION 6

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ELK POINT, SOUTH DAKOTA:

Section 6: On any lot in an R-1, R-2, or R-3 – District, all travel trailers, trailers, and recreational vehicles shall be parked or stored behind the City Right-Of-Way when they are to remain stationary. Travel trailers, trailers, and recreational vehicles which are to remain stationary shall be owned by the owner/occupant of the property and shall not serve as temporary or permanent sleeping quarters for any person for more than seven (7) days within a thirty (30) consecutive day period. Any vehicles stored on any designated zone R-1, R-2, or R-3 shall not serve or be used as a temporary or permanent sleeping quarters for any person for more than seven (7) days within a thirty (30) consecutive day period.

Dated this 7th day of October 2024.

CITY OF ELK POINT, SOUTH DAKOTA
Deb McCreary
Mayor

Attest: Erika Hammitt
Finance Officer

First Reading: September 9, 2024
Second Reading: October 7, 2024
Passed and Approved: October 7, 2024
Published: October 17, 2024

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

Second reading was given to Ordinance No. 429, an Ordinance Amending Chapter 6.08 Municipal Cemetery Section 6.0804: Monuments and Markers.

CITY OF ELK POINT SOUTH DAKOTA
ORDINANCE NO. 429

AN ORDINANCE AMENDING CHAPTER 6.08 MUNICIPAL CEMETERY, SECTION
6.0804: MONUMENTS AND MARKERS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ELK POINT, SOUTH
DAKOTA:

6.0804 Monuments, Markers. Headstones, only, shall be allowed; no stones or markers
shall be permitted at the foot of the grave, except for those footstones at ground
level. No monuments or marker shall be placed until approved by the Cemetery
Sexton.

Dated this 7th day of October 2024.

CITY OF ELK POINT, SOUTH DAKOTA
Deb McCreary
Mayor

Attest: Erika Hammitt
Finance Officer

First Reading: September 9, 2024
Second Reading: October 7, 2024
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VonHaden moved and Penfield seconded a motion to approve the Ordinance as presented. All in
favor.

Motion and second, Irlbeck/Irwin to approve Resolution #2024-6, a Resolution Declaring
Support and Adoption of the 2024 Pre-Disaster Mitigation Plan for Union County, South Dakota.
Unanimous.

RESOLUTION #2024-6

RESOLUTION DECLARING SUPPORT AND ADOPTION OF THE *2024 PRE-DISASTER
MITIGATION PLAN FOR UNION COUNTY, SOUTH DAKOTA.*

WHEREAS, the City of Elk Point supports the contents of the *2024 Pre-Disaster Mitigation
Plan for Union County, South Dakota;* and

WHEREAS, the *2024 Pre-Disaster Mitigation Plan for Union County, South Dakota,* will be
utilized as a guide for planning related to the Federal Emergency Management Agency's
(FEMA) Hazard Mitigation and other purposes as deemed appropriate by the City of Elk Point.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Elk Point, South Dakota that the City hereby adopts, supports, and will facilitate the implementation of the *2024 Pre-Disaster Mitigation Plan for Union County, South Dakota*.

Dated this 7th day of October 2024.

FOR THE GOVERNING BODY OF THE
CITY OF ELK POINT, SOUTH DAKOTA

Deb McCreary
Mayor

Attest: Erika Hammitt
Finance Officer

Discussion was held on the treatment of ash trees located in the City Right-Of-Way. City Administrator Tuttle will contact other cities to discuss how they are overseeing this issue. More discussion will be held at the next regular meeting.

Motion made by Penfield, seconded by Abraham to go into executive session at 7:45pm per SDCL #1-25-2.6, Discussing information pertaining to the protection of public or private property and any person on or within public or private property. All in favor.

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

Motion to adjourn, Penfield/VonHaden. Unanimous.

Attest: Erika Hammitt
Finance Officer

Deb McCreary
Mayor

Publish: October 17, 2024