

MINUTES OF THE REGULAR MEETING OF THE SALEM CITY COUNCIL HELD IN THE MCCOOK CENTRAL SCHOOL DDN ROOM IN SALEM SOUTH DAKOTA ON WEDNESDAY, JUNE 5, 2024, AT 6:00 P.M.

Mayor Glenda Blindert called the meeting to order with Council Members Doug Mokros, Ron Mayrose, Mitchell Rayman (Teams), Marc Harris, Janet Karel and Dnyee Schierholz present. Public Works Supervisor Dustin Weber; Jacob Morris and Trent Bruce of DGR Engineering; Chris Fields and Ryan Solberg (SEDC-Teams); Teresa Streff, Tavis Peterson; Kevin Blagg; Zoning Commissioners Kranz & Rieckman; and Frank Braider III (Teams) were also present. Motions made were unanimous of Council members present unless roll call identifies otherwise.

Declaration of conflicts: None.

Motion Harris, second Karel, carried, to approve the agenda.

No one was present for public comment (SDCL 1-12.1).

Motion Mokros, second Mayrose, carried, to approve following consent agenda items:

- The minutes of May 7, 2024, as written.
- Finance report stating a balance of \$9,255,538.33 for all funds and includes all investments and cash on hand; sewer pumpage of 27,270,000 gallons; water pumpage of 3,945,000 gallons; and the bacteriology report is satisfactory.
- The police report filed by the McCook County Sheriff Department.
- Claims list dated June 5, 2024.

Payroll: Mayor/Council \$1014.98; Finance Office \$7209.34; City Hall \$24.05; Streets \$2285.72; Snow \$248.80; Restricted-Use Site \$1081.05; Regulation & Inspection \$593.48; Mosquito \$125.78; Park \$5048.84; Planning & Zoning \$77.18; Storm Sewer \$1062.80; Water \$4230.98; Sewer \$2357.62; Payroll Taxes \$1835.08; City Share: Health \$6283.80; Dental \$155.76; Aflac \$98.84; Life \$54.75; Retirement \$1386.82.

Claims:

VENOR	DESCRIPTION	AMOUNT
Abby Gogolin	Deposit Refund	23.98
Calvin R Sandine	Cement Pad Rubble Site	1,012.10
Central Farmers Co-Op	Diesel	241.61
Century Business Products	Copier Man Contract	166.20
Cintas Corporation No. 2	Rug Service	68.95
Civicplus LLC	Ordinance On Line Subscript	774.00
DANR	DW Permit Annual Fee	600.00
DGR Engineering	Engr: Ind Project	55,240.54
Five M Properties, LLC	Deposit Refund	46.06
Fremar LLC	Weed Control Chemicals	169.50
GeoTek Engineering & Testing	Asbestos Testing 200 N Main Street	5,431.35
Grainger Inc	Pool: Pipe T/ Cement	153.97
Hauff Mid-America Sports	Park/Summer Rec Supplies	438.75

Hawkins Inc	WTP Chemicals	3,966.68
Heiman Fire Equipment	Streets/ Boots for Brian	249.62
Hunter Mills	Deposit Refund	33.40
Infotech Solutions Llc	Computer maintenance	595.00
Iron Wheel Sales & Service Inc	air lines & water spigot West Shop	3,875.00
Khloie Klinkhammer	May'24 Umpire Stipend	30.00
Kundert Williams Ins Agency	Rubble Site Shed Premium	840.00
Lori A Heumiller	Mileage Reimbursement May 9th & 22nd meetings	85.98
Masey Pechholt	Refund- summer rec	35.00
Maynards Salem	Supplies & Pool Merchandise	181.11
MC&R Pools Inc	Pool Supplies: Chemicals	550.09
McCook County Auditor	Law Agreement	8,168.00
MidAmerican Energy Co	Utilities	100.81
MidAmerican Research Chemical	Janitorial Supplies Lagoon Degreaser	5,475.23
Morgan Theeler LLP	Attorney Fees	1,852.50
Nathan Olinger	Travel Voucher	14.00
New Century Press Inc	Publications May 24	227.18
Puthoff Sales & Service, Inc.	Hex Bolt	5.98
Quill Corporation	Office Supplies Battery Backup	337.88
Rafe Bridges	May '24 Umpire stipend	50.00
RBS Sanitation Inc	Garbage Contract	9,192.75
Salem Lumber Co	Supplies: Parks, Pool & Rubble	285.00
Salem Water Works	Utilities Softball Field	878.08
Sams Club	Pool Merchandise/Supplies	1,082.60
Sd Public Health Laboratory	Testing Fees	117.00
South Dakota One Call	Locates	29.40
Southeastern Electric	Utilities	230.84
Total Stop	Fuel Purchases	1,000.73
Triotel Communications Inc	Utilities	240.14
Xcel Energy	Utilities	7,733.01
Zapp Hardware	Supplies: Pool/ Rubble Sewer/ Parks	716.67
CARDMEMBER SERVICES - CREDIT CARD PURCHASES		
City of Salem	Rewards Statement Credit	(81.49)
Lori Heumiller	American Red Cross - WSI Provider Fee	300.00
Nathan Olinger	DANR 5/9/24 Certification Testing Fee	61.50
Dustin Weber	PoolWeb: Pool lift belt & pool supplies	164.56
Dustin Weber	AirLine: WTP Valve	162.33
Dustin Weber	Northern Tool: Air Compressor Filters	197.97
CLAIMS PRE-APPROVED:		
Kundert Williams Ins Agency	Builder's Risk Policy (City Hall/Comm Proj)	21,386.00
Verizon Wireless	Utilities	126.30
ACH		
State of South Dakota	Sales Tax Collected May	1,126.41

PW Supervisor Weber presented the following items:

- Their Well Preventative Maintenance Plan – three well systems and pumps: \$430.00
- Breaker for well behind city hall. New \$2500 (electrical box needs to be restructured) or \$500 used off eBay.
- Public Works Building: Generator with all plumbing to natural gas. Pulse Electric \$15,046.28. The doors are too big to open manually. When the electricity goes off the equipment will not be accessible.
- Baseball field parking lot – graveling. Twedt provided costs for digging out 12” and shaping (\$8,000); 12” of gravel – (\$10,000); Paving area 14’x185’ along fence (\$7,500).

Motion Mokros, second Karel to approve the well preventative maintenance contract with Their Well for cost of \$430.00.

Motion Mokros, second Mayrose, carried, to approve the quote from Pulse Electric for the replacement of the well breaker – \$2,500.00 (new).

Motion Mokros, second Mayrose, carried, to approve the generator quote for the Public Works Building at a cost of \$15,046.28.

Consensus of the Council is to not spend any dollars on the baseball field parking it will need to be addressed when the entire parking lot is done.

DGR - ENGINEER REPORT: City Projects Update was provided.

2024 Sanitary Sewer Cleaning quotes and contract award. Two quotes were received 1) Empire Pipe Services - \$35,750; Hydro Klean, LLC - \$37,350.94. DGR recommends accepting the low quote of Empire Pipe Services.

Motion Mokros, second Schierholz, carried, to approve the low bid of Empire Pipe Services for the 2024 Sanitary Sewer Cleaning - \$35,750.00

2024 Street Improvements:

- 1) Introduction of Resolution of Necessity and proposed assessments. Assessments are for those who currently do not have curb and gutter; driveway approaches; and/or paving.
- 2) Twedt Bid - \$99,400.

Motion Mayrose, second Rayman, carried, to approve the bid of Twedt Construction for the 2024 Street Improvements - \$99,400.00.

Industrial Area Project: Recommending approval of T & R Contracting Inc Pay Request #2 - \$649,026.17.

Motion Karel, second Schierholz, carried, to approve Pay Request #2 from T & R Contracting for the Industrial Area Project - \$649,016.17.

Phase II Project: Phasing discussion due to estimated cost being over budget by approximately \$500,000. 1) Corson Ave Street Rebuild; and 2) Idaho (Norton/Vermont) Vermont (Idaho/Hwy 81) are the two sections discussed for removal from this project. Consensus of the Council is to remove the rebuild of Corson Avenue due to the limited use of the road. The utilities will be installed on Corson Ave and the street is designed and can be added to a future project.

Special Assessments Ordinance Discussion. Bruce and Morris presented revised Ordinance 678. SDCL 9-43 allows assessments, and the ordinance was written around what is allowed in codified law. Removal of “shall” and insertion of “may” with the same percentages throughout the ordinance; “new” – may assess up to 100%; and “reconstruction” may assess up to 50% were the most significant changes to the ordinance. The council would determine the percentage of the total project assessed project by project – deciding what the special benefit is to the abutting property owners. Special benefits would generally be new water and sewer service lines and mains; storm sewer and drainage improvements; driveway approaches; sidewalks, curb & gutter and streets. The remaining portion of the project would primarily benefit the general population and would be paid for by the city. The policy set by this ordinance provides parameters for consistency.

Council member Harris presented the following amendments to the:

1. For any development of two or more parcels, the developer/owner is fully responsible for all necessary improvements regardless of the benefit to neighboring properties. No liability of any new development can be transferred to the city without public hearing and unanimous approval of the city council.
2. No special assessment against any parcel can exceed 3% of the assessed value of the parcel and cannot be levied more than once every 10 years.

Bruce stated item one is dealt with in the subdivision regulations and item 2 - placing a cap becomes complicated because of the possible petition process for new street/utilities would cap what the property owners could be assessed; and the city would be responsible for paying a substantial portion of what should be the property owner’s responsibility.

Mayor Blindert tabled the discussion to hold the public hearing scheduled for 7:00 p.m.

REGULAR BUSINESS

At 7:00 p.m. a Public Hearing to consider the Temporary Malt Beverage License application of the McCook County Fair Board to sell alcoholic beverages at the McCook County Fair Grounds during the McCook County Fair Board Rib Cookoff event on Saturday, June 29, 2024.

Kevin Blagg was present to answer questions.

Motion Mayrose, second Mokros, carried, to approve the Temporary Malt Beverage License application of the McCook County Fair Board to sell alcoholic beverages at the McCook County Fair Grounds during the McCook County Fair Board Rib Cookoff event on Saturday, June 29, 2024.

At 7:05 p.m. a Public Hearing was held with Council meeting as the “Board of Adjustment” to consider the application of McCook County Fairgrounds for a Variance to add a 31’ x 45’ addition to

the north shed 7' from the west property line instead of the required fifteen (15) feet. Legal description of property is Beg at the NW corner of NE 13-103-55; South along quarter section line 370' east 175' north 375' to section line to point of beginning, Salem, McCook County, South Dakota. The site address is 721 E Richard Ave McCook Count Fairgrounds.

Kevin Blagg was present to answer any questions.

Zoning Administrator Heumiller stated Residential Area setback is 5' for a house; and 15' for other uses.

Motion Harris, second Schierholz, carried, to approve the application of McCook County Fairgrounds for a Variance to add a 31' x 45' addition to the north shed 7' from the west property line instead of the required fifteen (15) feet. Legal description of property is Beg at the NW corner of NE 13-103-55; South along quarter section line 370' east 175' north 375' to section line to point of beginning, Salem, McCook County, South Dakota. The site address is 721 E Richard Ave McCook Count Fairgrounds.

Travis Peterson was present requesting an amendment to his agreement on the number of vehicles in the salvage yard off Hwy 81. Asking to eliminate the eighty (80) car limit due to possible decreases in the iron market.

This was not on the agenda so the city attorney will need to review the agreement and request will be placed on a future meeting agenda.

Frand Braider III met with the council and Zoning Commission members Kranz and Rieckman to discuss a potential project in Salem with use of building for sale at 600 S Hill Street.

Braider discussed the need for a Zoning Confirmation Letter that this property can be used for a Residential Treatment Facility with program services that include:

- a) Medically monitored in-patient residential detoxification services
- b) Medically monitored in-patient residential treatment services
- c) Mental Health in-patient program treatment services

Prior questions posed:

1. # of Residents. +/- 40
2. Would you be employing Doctors & Nurses, any other professionals. Yes
3. Any other details you can provide on the day-to-day function of this facility. 24/7/365 daily management of clients

After discussion, it was determined this location and type of business was not the best fit for Salem.

Discussion resumed on the special assessment policy Ordinance No. 678. The consensus of the Council is they do not want to incorporate Harris' suggested amendments.

Motion Rayman, second Mokros, to approve the first reading of Ordinance No. 678 – an ordinance establishing a policy for special assessments. On Roll call five (5) “Aye” (Mokros, Mayrose, Rayman, Karel, Schierholz); one (1) “Nay” (Harris). Motion carried.

BUILDING PROJECTS

City Hall/Community Center:

- 1) McGough Pay Request #1 \$138,896.67.
- 2) Builder’s Risk has been taken out of the GMP a revision of the contract will be presented at the July 9th meeting.

Motion Mayrose, second Karel, carried, to approve McGough Constructions pay request #1 on the City Hall Community Center Project - \$138,896.76.

Park Pavilion & Restrooms: Discussion held on the cost vs. Budget. Both projects must be completed for reimbursement from LWCF Grant. The total project is over budget \$75,967.69 without consideration that the project would need to be bid. A firm would need to be hired to provide bid specifications for the restroom facility.

Motion Mayrose, second Mokros, carried, to withdraw the City’s LWCF grant due to the lack of matching funds. Remodeling the bathrooms will be discussed during the 2025 budget process.

200 N Main Street Building:

1. Discussion on GeoTek’s report on asbestos removal & demo. Quotes for the removal are due Friday, June 14, 2024.
2. Proposals to provide Demo specifications w/ project oversight provided by GeoTek (\$9,670.60 - \$16,790.00) and ISG (\$30,000). GeoTek’s provides testing fees in their contract.

Motion Harris, second Schierholz, carried, to approve the contract with GeoTeK for the demo specifications and project oversight.

Motion Harris, second Mayrose, carried, to authorize the Mayor and Finance Officer to award an asbestos abatement contractor based on both cost and timeliness.

Committee Reports.

ORDINANCE & RESOLUTIONS

Motion Schierholz, second Karel, carried, to approve the second reading and adoption of Ordinance 677 – Supplement to 2024 budget.

Motion Mokros, second Mayrose, carried, to adopt Resolution 2024-06 – Proposed Resolution of Necessity for the 2024 Street Improvements. The hearing date is July 9th at 5:00 p.m.

REGULAR BUSINESS CONTINUED

Motion Harris, second Schierholz, carried, to approve the following additions to the SFVD effective 5/6/2024: Owen Duffy and Rafe Bridges.

Motion Karel, second Mokos, carried, to approve Peterson MH Park and Cooper MH Park License renewals. Edgewood Court will need to bring the court into compliance and no trailers can be moved in without the license.

Motion Mokros, second Harris, carried, to approve fireworks display contract with Lew's Fireworks – June 29, 2024, show- \$6,000.00. The rain date is June 30th.

City Hall Air Condition/split unit is leaking freon. Consensus is to not purchase a new one. A portable unit will be investigated.

Salem Park vandalism was discussed.

Motion Mayrose, second Harris, carried, to enter Executive Session - SDCL 1-25-2(1) – Personnel at 8:42 p.m.

Mayor Blindert declared out of executive session at 8:44 p.m.

Motion Mokros, second Rayman, carried, to approve Leave of Absence for Charlotte Roesler.

Motion Karel, second Harris, carried, to hire Aubyn Schmidt at \$15.50 per hour to help in the office as needed.

Motion Harris, second Mayrose, carried, to approve Nathan Olinger .25 cent wage increase for his resent Water Certification effective on next paycheck.

Next meeting is scheduled for Tuesday July 9, 2024.

Motion Harris, second Mokros, carried, to adjourn at 8:46 PM.

Dated this 5th day of June 2024 at Salem, South Dakota.

(SEAL)

Glenda Blindert
Mayor

ATTEST:

Lori Heumiller
Finance Officer

Published once at the approximate cost of _____.